

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54133 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- CHAORI District- Bhojpur

SANTOSH RAI S/o Ramyash Rai Resident of Village- Dullam Chak, P.S.-
Chouri, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Chouri P.S. Case No.64 of 2019 registered under Sections
25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that after hearing the occurrence of
committing “Maar-Peet” by Bhola Rai and his brother Santosh
Rai (petitioner) with their villager Achram Rai in village-
Dullamchak, the informant along with other police personnel
proceeded for there to arrest them. In the way, the informant
and other police personnel received information that Bhola Rai
and this petitioner after cutting the gram crop are coming
towards village-Dullamchak. Thereafter, the informant and



other police personnel hide themselves in village-Dullamchak. In the meantime, Bhola Rai and this petitioner were seen carrying the gram crop on their head. On seeing the police party, Bhola Rai and this petitioner started to flee away. Thereafter, while Bhola Rai was apprehended at the time of throwing the gram crop from his head but the petitioner succeeded to flee away. On search, Bhola Rai was found in possession of one country made pistol and one live cartridge.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended by the police on the spot and due to land dispute with Gopali Rai and Jairam Rai, the petitioner and his brother Bhola Rai have falsely been implicated in this case. Further submission is that while seven cases were instituted against the petitioner, as detailed in paragraph-3 to this application, but in some cases, the petitioner is on bail and in some cases, the police has submitted final form.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of Dr. Rajesh Singh, Judicial Magistrate,
First Class, Bhojpur, Ara, in connection with Chouri P.S. Case
No.64 of 2019, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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