

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53969 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- MUSRIGHRARI District- Samastipur

Upendra Ray @ Upendra Rai Son of late Ram Saran Rai Resident of Village -
Jawaharpur, P.s.- Ujiarpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in **Musrigharari P.S. Case No. 43 of 2019**, registered for the offence punishable under Sections 392, 302 of the Indian Penal Code and section 27 of the Arms Act.

As per written report, three unknown miscreants boarded on a motorcycle, intercepted the son of informant and fired upon him.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. After nine days of occurrence, 164 statement of informant was recorded in which he has stated that he came to know that this petitioner on payment of Rs. 75,000/- got killed his son. Save and except suspicion, there is nothing against this



petitioner. Charge-sheet has already been submitted. Petitioner is in custody since 17.06.2019 having clean antecedent

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Judicial Magistrate Ist Class, Samastipur** in connection with **Musrigharari P.S. Case No. 43 of 2019**, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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