

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73546 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- BACHHHWARA District- Begusarai

Lalu Rai S/o Sri Sikandar Rai R/o Village-Chamtha Chakki,P.S.
Bachhawara,Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in Bachhawara P.S. Case No. 60 of 2018 instituted for the offence under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioner submits that there is no allegation of overt act against the petitioner. His name has come during investigation in the statement of Munna Rai. Counsel for the petitioner further submits that other co-accused persons have been granted bail by coordinate Benches of this Court vide orders dated 23.7.2018 and 14.8.2018 passed in Cr. Misc. 34324 of 2018 and 34858 of 2018 respectively.

In the written report it is alleged that Munna Rai



informed the informant that somebody flashed torch on elder brother of the informant to which his elder brother told that who is he, is he Lalu. Thereafter, the miscreants started firing on elder brother of the informant. The miscreants have also fired on Munna Rai but, any how he managed to save himself.

In this manner, from the written report itself it appears that there is no allegation of overt act against the petitioner.

Petitioner is in custody since 27.7.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Begusarai, in connection with Bachhawara P.S. Case No. 60 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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