

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62924 of 2019

Arising Out of PS. Case No.-849 Year-2018 Thana- SHASTRINAGAR District- Patna

Suraj Rai @ Suraj @ Suraja, aged about 28 years (Male), Son of Shiv Rai @ Shiv Yadav, Resident of Village - Sirpatpur, P.O. - Bairiya, P.S.- Gopalpur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate
For the State : Mr.Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial No.381 of 2019 arising out of Shastri Nagar P.S. Case No. 849 of 2018 registered for the offences under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story is that as per the allegation in the F.I.R., the brother of the informant, who was Advocate in the Patna High Court, was shot dead.

Learned counsel for the petitioner has submitted that the petitioner is not named in the F.I.R. and similarly situated co-accused has been granted bail by a Co-ordinate Bench of this



Court. The name of the petitioner transpired in course of investigation on confession of co-accused in paragraph-66. In paragraph-65 of the case diary, there is confessional statement of the petitioner and he confessed of being involved in a criminal conspiracy to shoot out the deceased along with other accused persons and in paragraphs 66, 67 and 68 of the case diary, there is confessional statement of co-accused who have taken the name of the petitioner and on the confessional statement, the co-accused Praduman Kumar @ Baba has been granted bail on 25.09.2019 passed in Cr. Misc. No.38758 of 2019.

There is no specific allegation against the petitioner and the petitioner is in jail custody since 18.12.2018.

In the facts and circumstances of the case, 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 Additional Sessions Judge XVI, Patna in connection with Sessions Trial No.381 of 2019 arising out of Shastri Nagar P.S. Case No. 849 of 2018, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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