

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74773 of 2019

Arising Out of PS. Case No.-365 Year-2019 Thana- PATORI District- Samastipur

Rajesh Ray @ Rajesh Rai @ Badal, aged about 30 years (Male), Son of Late Baso Ray @ Baso Rai Resident of Village - Araiya, P.S.- Patory, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-11-2019 At the very outset, learned counsel for the petitioner requests for making correction in paragraph – 1 & prayer portion of the petition. The permission is granted. It may be done in course of the day.

The petitioner seeks bail in Patory P.S. Case No. 365 of 2019 registered for the offence under Sections 147, 148, 290, 323, 325, 341, 354, 379, 447, 504, 506 of the Indian Penal Code and Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on 07-09-2019 at 12:00 noon, petitioner alongwith other accused persons in drunken condition entered into the house of the informant and on the order of the petitioner, all accused persons assaulted the informant & his grand son as also looted some cash and valuables. They also made informant's daughter-in-law naked.

It is submitted on behalf of petitioner that there is case and counter case and both sides have received injury. It is



further submitted that only allegation against the petitioner is that he was order-giver in this case. The petitioner is in custody since 07-09-2019.

Considering the aforesaid facts and circumstances as well as nature of allegation, let the above named petitioner 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 learned Addl. Sessions Judge IInd cum Special Judge, Excise, Samastipur in connection with Patory P.S. Case No. 365 of 2019, on the following conditions:

(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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