

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81087 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- BACHHWARA District- Begusarai

RAJAN RAI Son of Late Ramsevak Rai Resident of Village - Chamtha, Gope
Tol, P.S.- Bachhwars, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
307, 379 and other allied sections of the IPC as well as section
27 of the Arms Act.

The prosecution case is that the accused persons went
on the land of the informant and on protest being made,
petitioner and co-accused Binay Rai, Rameshi Rai, Lalit Rai and
Vikash Rai resorted to fire which hit on the thigh of Golu
Kumar. Co-accused Kajal Rai assaulted Nirmala Devi on her
head and co-accused Bibha Bharti assaulted Sanju Devi causing
bleeding injury. It is further alleged that other co-accused also
assaulted other family members of the informant causing
superficial injury.



It is submitted by learned counsel for the petitioner that the accusation is not of repeating the blow. The accusation of assault is against four persons. It is further submitted that though there is accusation of firing but no arms has been recovered from the petitioner. The investigation has already been concluded. There is counter version of the occurrence also. He also submits that co-accused Rameshi Rai and Lalit Rai have already been granted bail by this court vide order dated 23.10.2019 passed in Cr. Misc. no. 62011/2019.

Learned A.P.P. submits that there is specific accusation of firing against the petitioner causing injury.

Considering the fact that accusation of firing is general and omnibus against four persons, statement made in para 3 of the petition that the petitioner is having one criminal antecedent of section 379 IPC and the period in custody since 08.08.2019, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai in Bachhwara P.S. Case no. 127/2019 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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