

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69805 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- RAGHOPUR District- Vaishali

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NEMDHARI RAI Son of Late Machhu Rai R/v- Rushtampur, Tinpairiya
(Saidabad), P.S.- Raghapur (Rushtampur O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in connection with
Raghapur P.S. Case No. 83 of 2019, registered under Sections
341, 323, 307, 504 and 506/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The accusation is that on 13.06.2019, informant
Bhim Rai along with his brother Prem Kumar was returning to
his house, in the way, Nemdhari Rai (Petitioner) along with his
sons Mantu Rai and Satendra Rai surrounded him and started
to abuse, when informant and his brother made protest then
petitioner caught hold waist of the informant and Mantu Rai
took out pistol from his waist and fired, which passed away
through the back. At that time, Satendra Rai asked to Mantu to



shot fire at Prem Kumar, but he succeeded to flee away. Thereafter, informant was rushed to Fatehpur Government Hospital from where he was referred to PMCH for better treatment.

Learned counsel for the petitioner submits that, in fact, firing was made by one Mantu Rai, son of the petitioner, at the back of the informant, but being the father of Mantu Rai, the petitioner has also been implicated in this case saying that at the time of occurrence, he caught hold the informant, while he was not present at the place of occurrence. The petitioner has no criminal antecedent and he is in custody since 23.08.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-IV, Vaishali at Hajipur in connection with Raghopur P.S. Case No. 83 of 2019.

(Rajendra Kumar Mishra, J)

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