

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4708 of 2020

Arising Out of PS. Case No.-224 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

RANJEET RAY @ RANJEET RAI Son of Mohan Ray Resident of Village -
Khabsi, P.S.- Baniyapur, District- Saran, Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmatma Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Section 302 of the Indian Penal
Code.

The prosecution case as per the fardbeyan of Arun Ray
recorded by Dharmendar Kumar, Inspector-cum-S.H.O.,
Chhapra Muffasil Police Station on 14.06.2019 at 2.00 P.M. is to
the effect that on 14.06.2019 at 12.00 P.M, the informant was
taking FCI's wheat bags for being unloaded to the FCI's
godown at Bazar Samiti, Sadha, Chapra along with his younger
brother Upendra Rai. When the informant and his brother
reached near the gate of the godown a dispute took place with
regard to unloading of grains first with some of the drivers of
the truck namely, co-accused, Binod Rai and Sanjay Rai.



Subsequently, on the instigation of co-accused, Satyendra Singh, contractor of F.C.I, co-accused, Sanjay Rai caught hold of the younger brother of the informant whereupon co-accused, Binod Rai stabbed with a knife on his chest, as a result, he died on spot. Initially the petitioner was not named in the FIR., but the name of the petitioner subsequently transpired during investigation, as driver of one of the tractors.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against co-accused, Binod Rai and Sanjay Rai. The petitioner has falsely been roped in the present case only because he happens to be the brother of the FIR named accused persons. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the name of the petitioner sprang up during course of investigation.

Considering the specific accusation of catching hold of the victim against co-accused, Sanjay Rai while accusation of stabbing the victim with knife is against co-accused, Binod Rai and statement being made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be



released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chhapra, in connection with Chhapra Muffasil P.S. Case No. 224 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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