

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14572 of 2020**

Arising Out of PS. Case No.-1422 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

1. Anil Rai @ Anil Kumar Rai, aged about 30 years, Gender-Male, Son of Laxaman Rai, Resident of Village-Madhapur, P.S.-Ahiyapur, District-Muzaffarpur.
2. Arun Rai @ Arun Kumar Rai, aged about 28 years, Son of Laxaman Rai, Resident of Village-Madhapur, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                        |   |                               |
|------------------------|---|-------------------------------|
| For the Petitioners    | : | Mr.Ram Babu Rai, Advocate.    |
| For the Opposite Party | : | Mr.Sanjay Kumar Singh, A.P.P. |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      02-03-2020                      Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 307, 120(B) of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 03.12.2019 the informant Sunita Devi has alleged that her husband Jai Prakash Rai was in love with Krishna Devi. Krishna Devi used to demand Rs. 20,00,000/- from the husband of the informant and on refusal, Krishna Devi lodged a case against him and he was arrested. After release, again Krishna Devi demanded money and on non-payment of the amount, she threatened him



to get implicated in a case and also threatened of life. She further alleged that a land dispute was going on between her husband and Anil Rai (petitioner no. 1) and Arun Rai (petitioner no. 2) and Prince Kumar for last 13-14 years. These persons also used to threaten her husband. On 03.12.2019 at about 8.30, one unknown person came on Motorcycle to her house and asked whereabouts of her husband. He was not present in his house and he went to Bakhri Chowk. They went to Bakhri Chowk to meet her husband. At about 9.00 A.M., the informant received phone call that three persons shot him near Bakhri Chowk and fled away with their Motorcycle. On information, she went there where her husband told her that the husband of Krishna Devi, namely, Bihari Prasad, Amit Kumar, Anil Rai (petitioner no. 1), Arun Rai (petitioner no. 2) and Prince Kumar with a criminal conspiracy, shot him.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 03.12.2019. The petitioners have got no criminal antecedent. They have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The name of petitioners has come in the present case



merely on the basis of suspicion by the informant. Subsequently, the victim has been examined by the police. He has not named the petitioners. The name of the petitioners has transpired in the present case because they happen to be agnates of the victim and due to previous enmity it is suspected that the petitioners are also involved in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1422 of 2019.

**(Sudhir Singh, J)**

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