

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19840 of 2020

Arising Out of PS. Case No.-201 Year-2019 Thana- GANGABRIDGE District- Vaishali

RAM ISHWAR RAI Son of Late Ram Kripal Rai Resident of Village -
Saifpur, P.S.- Ganga Bridge, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-09-2020 Heard the learned counsel for the petitioner and Sri Rajendra Prasad, the learned APP for the State.

The petitioner seeks regular bail in connection with Ganga Bridge P.S. Case No. 201 of 2019, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having arrived at the door of the house of the informant, whereafter, they had started inquiring about the husband of the informant, however, the informant had told them that her husband was not at home.



In the meantime, the brother-in-law of the informant is stated to have come out of the house and asked the accused persons as to what was the matter, whereupon the co-accused persons, namely, Amod Rai, Manoj Rai, Mithilesh Rai and Jitendra Rai are alleged to have fired indiscriminately resulting in the brother-in-law of the informant, namely, Ravi Kumar, sustaining several gunshots injuries resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 17.12.2019. It is further submitted that as far as the petitioner is concerned, there is no allegation on him of having fired gunshots on the brother-in-law of the informant, hence, no case is made out against him, as alleged by the prosecution.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances



of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the informant has not alleged any sort of overt act as against the petitioner herein and he has not been alleged to have fired gunshots on the deceased as also taking into account the fact that the petitioner is having a clean antecedent and he is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 201 of 2019.

(Mohit Kumar Shah, J)

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