

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24486 of 2020

Arising Out of PS. Case No.-747 Year-2019 Thana- BUXAR District- Buxar

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ABHINANDAN RAI (THE POLICE IS TRYING TO ARREST SAYING
THAT RISHU RAI IS ABHINANDAN RAI) Son of Sri Sarangdhar Rai
Resident of Village- Koerpurva, P.S.- Buxar Town, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babita Kumari, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-12-2020 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State through virtual court

proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 307, 448, 302,



120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, it is stated that on the date of occurrence the named accused persons including the petitioner came variously armed and made indiscriminate firing. It is further stated that accused Bullu Rai @ Bhuli Rai fired hitting Raghvendra Pratap Singh while accused Rishu Rai fired hitting Survajeet Singh @ Tuna Singh. It is further stated that in course of treatment Raghvendra Pratap Singh died while the other injured was in a critical condition.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is case and counter case between the parties. He submits that no occurrence as alleged has taken place and it was the present prosecution party who have forcibly trying to capture the land of the accused side although a Title Suit No. 401 of 2012 is pending between the parties. He submits that similarly situated co-accused has been granted bail by coordinate Bench of this Court in Cr. Misc. No. 84912 of 2019 on 16.03.2020. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 11.02.2020.



In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (Town) Police Station Case No. 747 of 2019.

(Anjani Kumar Sharan, J)

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