

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27067 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- SALIMPUR District- Patna

1. LAXMI RAI Son of Late Haricharan Rai Resident of Village- Saidpur, P.S.- Saidpur, District- Patna.
2. Lutan Rai Son of Bunna Rai Resident of Village- Saidpur, P.S.- Saidpur, District- Patna.
3. Birendra Rai Son of Yogendra Singh Resident of Hidayatpur, P.S.- Saidpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Suraj Kumar
For the State	:	Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case for the offence registered under Sections 147, 148, 149 & 302 of the Indian



Penal Code and 27 of the Arms Act.

Prosecution case in short is that while Niranjana Kumar, nephew of the informant along with his other nephew was going to meet marriage rituals, in the way, the 12 named along with some unknown persons restrained them. It is further alleged that one of the nephews of the informant was taken away by the accused persons towards the field and he was shot dead.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge sheet/Prosecution report in this case has already been submitted. The petitioners are in custody since 31-01-2020. The allegation of firing is against co-accused Mithilesh Kumar, Rudal Rai, Satyendra Prasad and Damru Rai. There is no allegation of assault alleged against the petitioners. The petitioners are said to be members of an unlawful assembly. No injury is said to have been caused by the petitioners.

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

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate-Ist Class, Barh, Patna in connection
with Salimpur P.S. Case No. 23 of 2020.

(Sudhir Singh, J)

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