

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23827 of 2020

Arising Out of PS. Case No.-126 Year-2019 Thana- RAGHOPUR District- Vaishali

RAKESH KUMAR S/o Late Bimal Rai Resident of Mohalla- Ghaghangali,
P.S.- Chowk Patnacity, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-10-2020 Heard Mr. Ansul, learned counsel for the petitioner
and Mr. Pawan Kumar Chaurasia, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Raghopur P.S. Case No. 126 of 2019 registered for the offences
punishable under Sections 147, 148, 149, 323, 341, 354, 307,
302, 201, 504, 506, 120(B) of the Indian Penal Code 1860 and
Section 27 of the Arms Act.

The allegation as per the First Information Report is
that 23 accused persons including petitioner named in the First
Information Report killed three persons namely Najir Rai,
Chanarik Rai and Putul Rai.

Learned counsel for the petitioner submits that from
perusal of the First Information Report, it would be evident that



the named accused persons have allegedly assaulted the deceased and there is no overt act against the petitioner. Learned counsel further submits that only allegation against the petitioner is that he along with Dharmendra Rai hatched conspiracy with other accused persons in order to commit the present offence. Learned counsel further submits that there is no allegation that the petitioner has caused injury to any of the victims and altogether 21 persons have allegedly assaulted the victims. Learned counsel also submits that similarly situated co-accused person Dharmendra Rai has been granted regular bail by a co-ordinate Bench of this Court vide order dated 02.03.2020 passed in Cr. Misc. 14407 of 2020.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused person has been granted regular bail by a co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Vaishali, Hajipur, in connection with Raghopur P.S. Case No.



126 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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