

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29700 of 2020**

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

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INDRADEO RAI Son of Late Sadhu Rai Resident of Village- Sukumarpur,
P.S.- Raghobpur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-12-2020 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 petitioner 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 petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 342, 323, 326,
354, 307, 302, 201, 120(B) of the Indian Penal Code and 27 of
the Arms Act.

Allegedly, one person, namely, Nazir was shot dead while



two persons namely, Chanirak Rai and Putul Rai were also killed by slitting them in pieces by the accused persons and the dead bodies were thrown in the river.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case due to previous enmity. Altogether 21 persons are named in the FIR. So far allegation of assault to the deceased Nazir is concerned, the same is alleged against co-accused Sanjeevan Rai, Jaykant Rai, Umakant Rai and Ran Vijay Rai. Allegation of assault to the deceased Chanirak Rai is alleged against co-accused Rama Rai @ Ramakant Rai, Santosh Rai @ Golu, Sanjay Rai, Ajay Rai, Satish Rai, Harendra Rai and Sanjeev Rai whereas the allegation of assault to Putul is alleged against co-accused namely, Chandan Rai, Jitrendrfa Rai, Naseeb Rai, Nepali Rai @ Vinas Rai, Bipin Rai, Dharmendra Rai, Sunil Rai and Abhishek @ Ghela. So far the petitioner is concerned, there is no allegation of assault against him. No weapons has been assigned in his possession. The petitioner has been dragged in this case only due to previous enmity. Except for this, there is no other substantive evidence to suggest that the petitioner has



participated in the alleged occurrence in any manner .

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

Considering the aforesaid facts and circumstances of
the case, the petitioner, above named, in the event of arrest or
surrender before the learned court below within a period of
twelve weeks from today, be released on anticipatory bail on
furnishing bail bond 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 at Hajipur in
connection with Raghapur P.S. Case No. 126 of 2019 subject to
the conditions as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Sudhir Singh, J)

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