

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29733 of 2020

Arising Out of PS. Case No.-590 Year-2019 Thana- MANER District- Patna

DEEPAK RAI @ DEEPAK KUMAR Son of Late Raj Nandan Singh @ Raj
Nandan Rai @ Raj Nandan Ray Resident of Village - Khaspur, P.S.- Maner,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2020 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 defects, as pointed out by the office, within a period
of four weeks from the date of 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, 307, 302, 504, 506 of
the Indian Penal Code.

Allegation is that the accused persons including the



petitioner variously armed with came at the plot of the informant with intent to kill him and his family members. Accused Himanshu Rai fired upon Ranjan Kumar, accused Shyamakant Rai fired upon Harendra Rai, accused Jai Prakash Rai fired upon Upendra Narayan Rai and accused Ravindra Rai fired upon Raj Kumar, on account of which they sustained fire arm injury and injured Ranjan Kumar and Harendra Rai died.

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 falsely been implicated in the present case. Altogether 50-60 persons are alleged to have participated in the alleged occurrence. 25 persons are named in the F.I.R. including the petitioner. The specific allegation of assault is alleged against the co-accused Himanshu Rai, who is said to have fired upon deceased Ranjan Kumar. Co-accused Shyamakant Rai is alleged to have fired upon the deceased Harendra Rai. Co-accused Jai Prakash Rai fired upon Upendra Narayan Rai, who is said to have been injured and co-accused Ravindra Rai is said to have fired upon Raj Kumar, who is also said to have been injured. So far the petitioner is concerned, there is no allegation of assault and no overt act is alleged



against him. At best, the petitioner is a member of unlawful assembly.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sushree Nutan Kumari, J.M. 1st class, Danapur, Patna in connection with Maner P.S. case No.590 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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