

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30010 of 2020

Arising Out of PS. Case No.-196 Year-2017 Thana- VAISHALI District- Vaishali

Rahul Rai Aged about 25 years, Male, Son of Rajnarayan Rai, Resident of
Village- Basudeo Patti, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Ms.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Vaishali P.S. Case No.
196 of 2017, registered for the offence under Section 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, two unknown persons
came on a motorcycle and shot brother of the informant.

It is submitted on behalf of petitioner that petitioner is
not named in the F.I.R. The name of petitioner has come on the
basis of confessional statement of co-accused Md. Anzar, who
has already been granted bail by this Court, vide order dated
05-04-2018 passed in Cr.Misc. No. 13980 of 2018 (Annexure –
2 to the petition). It is further submitted that other similarly
situated co-accused namely Sanjay Rai and Md. Babar have also
been granted bail by this Court, vide order dated 20-04-2018



passed in Cr.Misc. No. 23029 of 2018 and order dated 04-12-2018 passed in Cr.Misc. No. 71290 of 2018 respectively (Annexure 3 series). The petitioner is in custody since 23-11-2019.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 196 of 2017 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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