

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82257 of 2019

Arising Out of PS. Case No.-348 Year-2019 Thana- MINAPUR District- Muzaffarpur

Dilip Rai @ Dilip Kumar, Son of Vishwanath Rai, Resident of Village - Turki
Khararo, P.S.- Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra, Advocate.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 29-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Minapur P.S. Case No. 348 of 2019, registered under
Section 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The accusation is that in the month of April 2019,
informant, Vijay Kumar received information through mobile
no. 9089349248 about demanding ransom of Rs.10,00,000/- and
the caller disclose his name as Rakesh Rai, saying that earlier he
has committed the murder of Munshi of Ram Swarath Rai and if
ransom will not be handed over then similar treatment will be
given. Thereafter, informant informed to the administration



about the aforesaid incident. In the morning of 01.07.2019, informant present at Sanichara Chowk then he heard the sound of firing near the tea shop of Rajendra Sah and saw that Rakesh Rai, Dinbandhu Rai, Maya Shankar Rai, Guddu Kumar and some unknown moved from there on three motorcycles having pistol in their hands. At that time, he also saw his brother, Ajay Kumar, sustaining firearm injury, who disclosed that Rakesh Kumar, Din Bandhu Rai, Maya Shankar, Guddu Kumar and their associates have shot fire on him. Thereafter, his brother, Ajay Kumar, was rushed to the Muzaffarpur Hospital but he died in course of treatment.

Learned counsel for the petitioner submits that petitioner is not named in the FIR but in course of investigation, police apprehended co-accused, Rakesh Rai, who confessed his guilt and disclosed the name of Ankit and Rishi indulging with him making firing at the deceased, brother of the informant and also disclosed the name of petitioner and one Barik Khan as a liner, except that nothing has been collected by the Investigating Officer showing his involvement in the present case. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, in connection with Minapur P.S. Case No. 348 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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