

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86091 of 2019

Arising Out of PS. Case No.-509 Year-2019 Thana- MANER District- Patna

SHASHI BHUSHAN RAI @ SHASHI BHUSHAN KUMAR Son of Bidhi
Chand Singh Resident of Village - Ratantola, P.S.- Maner, Distt - Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary, Advocate.
For the State : Mr. Anil Kumar Singh No.1, A.P.P.

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

ORAL ORDER

2 17-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Maner
P.S. Case No.509 of 2019 registered under Sections 341, 323,
386, 387, 307, 147, 148 and 120[B] of the Indian Penal Code
besides Section 27 of the Arms Act.

The accusation is that on 15.10.2019 at about 11.00
A.M., the informant Nageshwar Rai along with his brother
Mukesh Kumar and 20 labourers, proceeded with boat for
Koilarwar from Gaighat to carry the sand from Sone river. In the
evening, when they reached with boat near Mahavir Tola at the
bank of Ganga river, Maner, several persons were seen standing
beneath the mango orchard. Out of them, two persons asked



them to stop the boat. Thereafter, Mukesh Kumar, the brother of the informant, started to stop the boat and could park the boat ahead to the west of the river. Due to that reason, Manoj Kumar Rai, son of Anandi Rai, of village-Chhihatar, P.S. Maner, District-Patna, started to abuse, saying that the ransom of Rs.50,000/- would have to be paid and also asked that each boat would have to pay Rs.5000/- per trip to carry the sand, then they would be permitted to ply the boat. Thereafter, Manoj Rai shot fire from the pistol, which hit at the left side of the chest of Mukesh Kumar, the brother of the informant. After that, the people, who were present there, asked them to come over of the bank of river and due to fear, they went there, where the petitioner along with 15 other F.I.R. named accused and 4-5 unknown were present, who started to abuse the informant and his labourers. When they came to know about sustaining firearm injury by Mukesh Kumar, the brother of the informant, then all started to flee away from there. One person tried to start his motorcycle but the same could not start, then he fled away from there, leaving the motorcycle.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner had gone at the bank of Ganga river to cross the river boarding on the boat but, on mere



suspicion, the petitioner has also been implicated in this case falsely. While the petitioner is named in the F.I.R. along with others but no specific overt act is attributed to him. The petitioner is in custody since 17.10.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Shushri Nutan Kumari, Judicial Magistrate, First Class, Danapur, Patna, in connection with Maner P.S. Case No.509 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

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