

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3844 of 2020

Arising Out of PS. Case No.-257 Year-2019 Thana- MAHNAR District- Vaishali

KATTAR RAI @ SAJJINDAR RAI @ SUJINDAR RAI, Gender-Male, aged about 55 years, son of Late Channa Rai, resident of Village - Patthar Ghat, P.S.- Patori in the district of Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate
For the State	:	Mr. Dr.Mrityunjaya Kr. Gautam, APP
For the Informant	:	Ms. Usha Kumari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 09-02-2021 Heard learned counsel for the petitioner, learned
APP for the State as well as learned counsel for the informant.

In this case, the petitioner is seeking regular bail in connection with Mahnar P.S. Case No. 257 of 2019, registered for the offence under Sections 302/120-B/ 34 of the Indian Penal Code and under Section 27 of the Arms Act.

As per the F.I.R. on 13.07.2019 at about 8:35 P.M. the informant and his brother were returning to his house after closing his shop situated at Patthar Ghat by a motorcycle and when they reached Hasanpur Panja Chowk, two motorcycles, upon which four persons were riding, intercepted them and Kirti Rai fired upon them. As a result of which, the brother of the informant died on the spot.

Paragraph no.28 of the case diary shows that Kirti Rai and present petitioner intercepted the informant's



motorcycle but, direct allegation has been made against Kirti Rai to have fired upon them, as a result of which, the brother of the informant died.

Learned counsel for the petitioner submits that in the F.I.R. the informant has not taken the name of present petitioner. He further submits that the petitioner is aged about 55 years and has no criminal antecedent. He next submits that the petitioner is in jail since 28.10.2019

Considering the aforesaid fact, let the petitioner, above-named, 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 the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahnar P.S. Case No. 257 of 2019, subject to the condition that the petitioner would cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

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