

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19051 of 2021**

Arising Out of PS. Case No.-193 Year-2020 Thana- DORIGANJ District- Saran

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HAKIM RAI @ HAAKIM RAI S/o Late Sadhu Rai R/o Village-
Rajpurvindgawa, P.S.- Dorigang, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Arun Kumar Pandey, Advocate

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 05-10-2021 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 302 and other
sections of the Indian Penal Code.

As per the prosecution case, it is stated that the fifteen
named accused persons including the petitioner herein came
variously armed. On the orders of Mahavir Rai it is stated that
Dipak Kumar, Vinod Rai and Udit Rai caught hold of the son of
the informant who was, thereafter, assaulted by Aditya Kumar
with an iron rod. The informant's son fell down unconscious. It
is further stated that the petitioner, Pramod Kumar and Daroga
Rai assaulted the informant's brother, namely, Vijay Rai. The



accused went away firing and stating that the son of the informant had been killed.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations in the FIR are not supported by the materials that has transpired in course of investigation in so far as there is no injury report of Vijay Rai. The allegation of assault on the son of the informant is not on the petitioner herein who is in custody since 14.11.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but was armed and actively participated in the occurrence as described in the FIR leading to death of the son of the informant and injuries to others.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 11 months, the petitioner is directed to be enlarged on bail in connection with Doriganj P.S. Case no. 193 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief



Judicial Magistrate 13th, Saran at Chapra.

(Partha Sarthy, J)

Spd/-

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