

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19691 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- RAGHOPUR District- Supaul

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MD. RAIS SON OF FIDA HUSSAIN RESIDENT OF VILLAGE-
SAURAJAN (MACHHA), P.S.- RAGHOPUR, DISTRICT- SUPAUL.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Raghopur P.S. Case
no. 83 of 2020 registered for the offence punishable under
sections 394, 302 of the Indian Penal Code read with section 27
of the Arms Act.

Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the FIR, it would manifest
that the informant being wife of the deceased has alleged that on
23.4.2020 at about 6 a.m., her husband had gone to Gas agency
for distribution of gas cylinders. At about 12 p.m., she was
informed by the villager that her husband had been shot at by
four persons and they had taken away bag containing money.
Learned counsel for the petitioner further submits that
petitioner is innocent and has been falsely implicated in this



case and name of the petitioner has come on the confessional statement of co-accused Randhir Kumar. Further, no incriminating article has been recovered from the possession of the petitioner. Till date petitioner has not been put on TI parade and no one has seen the petitioner committing the offence. He further submits that similarly situated co-accused Sone Lal Kumar @ Sonu Yadav @ Sonu Kumar @ Sonelal Yadav has been granted bail by this court vide order dated 28.10.2021 in Cr. Misc. no. 35593/2021. Further, petitioner is in custody since 06.10.2020 and charge sheet has been submitted.

Learned APP vehemently opposed the prayer for bail.

Considering the facts that similarly situated co-accused has been granted regular bail by the aforesaid order, petitioner is in jail custody since 06.10.2020 and charge sheet has been submitted, petitioner is directed to 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 the Addl. Chief Judicial Magistrate, Birpur, Supaul in Raghobur P.S. Case no. 83 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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