

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21437 of 2021

Arising Out of PS. Case No.-210 Year-2019 Thana- BACHHWARA District- Begusarai

Hemant Rai S/o Raj Kumar Rai Resident of Village- Chamtha Gop Tol, P.s.-
Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-08-2021 Heard the parties through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 302, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner were members of the unlawful assembly named in the FIR.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that according to the FIR, petitioner is the order giver. He submits that co-accused Dharmendra Rai has caused firearm injury to the mother of the informant as a result whereof she died. He submits that similarly situated co-accused has been granted bail by a coordinate Bench of the Court in Cr. Misc. No. 31211 of 2020 on 10.12.2020. He further submits that petitioner bears nine criminal antecedent as stated in para-3 of



the bail application and he is languishing in judicial custody since 27.06.2020.

Considering the facts and circumstances of the case and the fact that similarly situated co-accused has been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bachhwara P.S. Case No. 210 of 2019, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.



(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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