

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20147 of 2021**

Arising Out of PS. Case No.-329 Year-2019 Thana- MANIYARI District- Muzaffarpur

Arvind Rai aged about 32 years S/O Jawahar Rai R/O Village- Madhopur,
P.S.- Maniyari, District- Muzaffarpur Petitioner/S

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 302 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, four unknown miscreants riding on two motorcycles suddenly surrounded the informant and his father when they were returning to their house, and fired on them as a result of which father of the informant sustained injury in the right hand. Miscreants took away their wallet containing about Rs.800/- to Rs.900/-. Father of the informant died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has been implicated in this case on the basis of confessional statement made in some other case. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner claims clean



antecedent and he is in custody since 3.9.2020.

Considering the facts and circumstances of the case and the fact that there is no substantive evidence to suggest the implication of this petitioner in the present case, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Muzaffarpur in Maniyari Police Station Case No. 329 of 2019/ GR No. 4157 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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