

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30289 of 2021

Arising Out of PS. Case No.-112 Year-2019 Thana- SAHPUR District- Patna

ANIL RAI Son of Krishna Rai Resident of - Village - Daudpur, Ward No. 1,
P.S. - Shahpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Preety Kunwar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-08-2021

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 307, 326 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, on 24.03.2019 at about 7 PM FIR name accused persons, including this petitioner, variously armed, came to the informant's residence and started indiscriminate firing in order to terrorize the informant and his family members. It is further alleged that this petitioner fired as a result of which Gopi Rai sustained injuries.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. There is case and counter case. There is land dispute between the parties and there is no injury report on record of Gopi Rai. Similarly situated accused, Dharmendra Yadav has already been granted bail by a co-ordinate Bench of this court vide order dated 27.09.2019 passed in



Cr. Misc. No. 45955/2019. Petitioner is in custody since 02.02.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Danapur, Patna in connection with Shahpur PS case No. 112/2019 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)

BKS/-

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