

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29988 of 2021

Arising Out of PS. Case No.-445 Year-2019 Thana- LALGANJ District- Vaishali

RAKESH RAI Son of Raj Kumar Rai @ Raj Kumar Yadav Resident of
Village - Sarariya, P.S.- Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Lalganj P.S. Case no.
445 of 2019 registered for the offence punishable under section
307/34 of the Indian Penal Code read with section 27 of the Arms
Act.

Learned counsel for the petitioner submits that petitioner is
in custody since 02.01.2021 and charge sheet has been submitted and
petitioner has one criminal antecedent as mentioned in para 3 of the
bail petition. Learned counsel for the petitioner further submits that
from perusal of the allegation as alleged in the FIR, it would manifest
that against this petitioner, informant alleges that he on the order of
Chandan Rai fired at him and thereafter, villagers came and raised
hulla on which this petitioner also fired at Ramlal Ram causing
injury on his head. Learned counsel for the petitioner submits that



allegation is concocted and false. He further submits that there is no firearm injury either on the informant or Ramlal Ram in the case diary, though they were injured by firing.

Learned APP opposed the prayer for bail but is not able to meet the submissions of learned counsel for the petitioner that there is no firearm injury either on the informant or Ramlal Ram as alleged in the FIR and on that learned APP submits that this aspect is to be verified before granting bail to the petitioner.

Considering the facts that petitioner is in jail custody and charge sheet has been submitted and it has been submitted by learned counsel for the petitioner that there is no firearm injury either on the informant or Ramlal Ram, the 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 XIV, Vaishali at Hajipur in Lalganj P.S. Case no. 445 of 2019 provided the court below is certified after perusing the case diary that there is no firearm injury either on the informant or Ramlal Ram.

(Satyavrat Verma, J)

s.hassan/-

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