

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32617 of 2021

Arising Out of PS. Case No.-248 Year-2020 Thana- PATORI District- Samastipur

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JOGI RAI Son of Late Ramprit Rai Resident of Village - Uttari Dumari @
Uttari Dhamoun, P.S. - Patory (Mohanpur O.P.), District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Ms.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Patory (Mohanpur O.P.) Police Station Case No. 248 of 2020,
registered for the offences punishable under Sections
147/149/341/302/323/504 of the Indian Penal Code and Section
27 of the Arms Act. .

The allegation, as per the First Information Report, is
that the petitioner, along with other accused persons, arrived at
the place of occurrence, having sword in his hand and on the
instigation of Jantu Rai, co-accused Surendra Rai fired upon the
son of the informant, due to which he died.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he is at best a member of unlawful assembly. He next



submits that no overt act has been alleged against the petitioner and similarly situated co-accused person, Vishwanath Ray (vide order, dated 24.09.2021, passed in Criminal Misc. No. 38608 of 2021) and Rajo Rai and Mahesh Rai (vide order, dated 30.09.2021, passed in Criminal Misc. No. 23304 of 2021) have been granted bail by co-ordinate Benches of this Court.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner is in custody since 15.07.2020 and similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

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 learned 2nd Additional Chief Judicial Magistrate, Samastipur, in connection with Patory (Mohanpur O.P.) Police Station Case No. 248 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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