

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37715 of 2021

Arising Out of PS. Case No.-138 Year-2020 Thana- RAGHOPUR District- Vaishali

Awadhesh Rai Son Of Late Chandrika Rai Resident of Village - Malikpur,
P.S.- Raghobpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Singh, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Raghobpur P.S. Case No. 138 of 2020 instituted for the offences under Sections 147, 148, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.03.2021, charge-sheet has been submitted in the case and he has got one criminal antecedent as mentioned in paragraph '3' of the bail application.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant alleges that Awadhesh Rai (petitioner) and other co-accused came over the ancestral land of the informant pertaining to Khata No. 51, Kheshra No. 151 and 152 and started



ploughing the same by tractor and when the informant and his family members went to the said land and protested, it is alleged that this petitioner gave orders to kill on which Mukesh Rai and Lali Rai shot the informant's cousin brother, namely, Sanoj Rai on his neck who received grievous injuries.

Learned counsel for the petitioner submits that admittedly the occurrence had taken place on account of land dispute and this petitioner is alleged to have been the order giver. The allegation of firing causing grievous injury is on Mukesh Rai and Lali Rai.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 15.03.2021, charge-sheet has been submitted in the case, and he is alleged to be the order giver, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Vaishali at Hajipur in connection with Raghopur P.S. Case No. 138 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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