

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38783 of 2021

Arising Out of PS. Case No.-282 Year-2020 Thana- CHIRAIYA District- East Champaran

BINDA RAI Son of Late Manshi Rai Resident of Village- Khodha, Hasuwaha
Tola, P.S.- Chiraya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of Chiraya Police Station Case No. 282 of 2020, disclosing offences under Sections 302, 307, 341, 323, 325, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation, as per the FIR is that the petitioner along with other accused persons came with lathi, danda and Farsa started abusing the informant. On protest, the other co-accused persons fired with pistol upon Ramkewal Rai which hit on his chest and he died on the spot. Co-accused, Dipak Rai, also fired by pistol which hit upon arms of Santosh Rai and became senseless. Thereafter, it is alleged that Prema Rai and Shivnath Rai also assaulted the informant's side which got them

injured.

It is submitted on behalf of the petitioner that there is general and omnibus allegation against the petitioner and he is in custody since 07.02.2021. Chargesheet has been submitted in this case.

Learned counsel for the State vehemently opposes the prayer of bail.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 07.02.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, 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 A.C.J.M.-4, Sikiarhana at Dhaka, Motihari, East Champaran, in connection with Chiraya Police Station Case No. 282 of 2020.

(Prabhat Kumar Singh, J)

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