

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41026 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- JURAWANPUR District- Vaishali

1. Manjay Ray Son of Devendra Rai Resident of Village- Paharpur registry
Tola, P.S.- Jurawanpur, District- Vaishali.
2. Vijay Rai Son of Devendra Rai Resident of Village- Paharpur registry Tola,
P.S.- Jurawanpur, District- Vaishali.
3. Lalbhadr Rai Son of Sogarath Rai Resident of Village- Paharpur registry
Tola, P.S.- Jurawanpur, District- Vaishali. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-03-2021 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The petitioners have filed the instant application
for grant of regular bail in connection with Jurawanpur P.S.
Case no. 56 of 2020 registered under sections 307, 147, 148,
149, 341, 323, 448 and 34 of the Indian Penal Code and section
27 of the Arms Act.

As per allegation in the FIR, the 13 named accused
persons came variously armed and on the instigation of accused
Surendra Rai it is stated that Sogarath Rai fired from his pistol
injuring the informant.

It is submitted by learned counsel for the
petitioners that the allegations in the FIR are false and incorrect.
Accepting the allegations to be true, for the sake of argument,



the allegation of overt act is against Sogarat Rai and not the petitioners herein. The case of the petitioners stand on a similar footing to that of Ramesh Rai and Ganesh Rai and on a better footing to that of Surendra Rai, all three of whom have been enlarged on bail vide order dated 12.11.2020 passed in Cr. Misc. no. 28898 of 2020. The petitioners are in custody since 28.6.2020, they have no criminal antecedent and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the allegation of overt act is against Sogarath Rai and not the petitioners herein together with grant of bail to the similarly situated co-accused, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Jurawanpur P.S. Case no. 56 of 2020, G.R. no. 2511/2020 on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IX, Vaishali.

Prakash/-

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(Partha Sarthy, J)

