

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43205 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- BACHHWARA District- Begusarai

Dilip Kumar Rai @ Dilip Rai son of Janardan Rai @ Janardhan Rai @
Janardan Ray Resident of Village - Chiraiyatok Diara, Ward No. 10, P.S. -
Bachhwara, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-10-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Bachhwara P.S. Case No.
190 of 2020, registered for the offence punishable under
Sections 302, 307, 323 and other allied sections of the Indian
Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the informant was
at his house, all the FIR named accused persons along with 4-5
unknown came on Bolero vehicle armed with gun and pistol and
on the gunpoint they attempted to take him forcibly with them
which was resisted by the family members of the informant
upon which all of them started indiscriminate firing from their
respective pistol, as a result of which one Munni Devi died on



the spot on firing made by co-accused Vijay Rai and Laxaman Rai, while Pankaj Rai fired on Sujit and he sustained bullet injury on his waist and Anil Rai fired on Shiv Kumar Rawat on his leg. They also opened indiscriminate firing upon the co-villagers.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case on the basis of confessional statement of co-accused Laxaman Rai. There is no allegation of causing firearm injury against petitioner. Petitioner is alleged to be simply member of unlawful assembly. Petitioner is in custody since 16.06.2021 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 190 of 2020.

(Prabhat Kumar Singh, J)

vinita/-

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