

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33756 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- PATORI District- Samastipur

Chandra Bhushan Rai, Son of Late Baijnath Rai, R/o Village- Chandpur
Dhamaun, P.S.- Sahpur Patory, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 25-01-2021 Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

9 F.I.R. named accused persons including 4-5 unknown were members of the unlawful assembly of one group and for land dispute they fired causing injury to the mother of the informant, as a result whereof, she died.

Learned counsel for the petitioner submits that the allegation is not specific against anyone. Land dispute is reason for false implication. Co-accused Shatrudhan Rai who is also named in the F.I.R. has already been allowed bail by a co-ordinate Bench of this Court vide order at Annexure-5.

Learned counsel for the informant submits that indisputably the firing was made from the accused side and



when several persons were firing it was difficult to ascertain as to which fire had caused injury and death.

The doctor has found only one fire arm injury on the person of the deceased.

Considering entire facts aforesaid as well as completion of investigation and grant of bail to co-accused having similar allegation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sahpur Patory P.S. Case No. 51 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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