

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40033 of 2020

Arising Out of PS. Case No.-210 Year-2019 Thana- BACHHWARA District- Begusarai

SHATRUGHAN RAY, Son of Late Ram Narayan Ray, Resident of Village-
Chamtha Lakshman Toli @ Tol, P.S.- Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Firoz Raza

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 302, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in brief is that on 05.11.2019 the uncle of the informant was ploughing his land by tractor. In the meantime all the FIR named accused persons and unknown persons forming an unlawful assembly having with lathi, danda, pistol and rifle in their hands chased his uncle, his uncle entered



in his house, all accused persons have surrounded the house and Dharmendra Rai, Shailendra Rai and Uma Rai have jointly gave order to set fire in house and shoot them which will come in their front. In the meantime, his mother came out from her house thereupon co-accused Dharmendra Rai shoot his mother, pellet his on her hand his mother died on spot. Thereafter, all have fled away after making indiscriminate firing.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner was member of the unlawful assembly named in the FIR. Co-accused namely Dharmendra Rai has caused fire-arm injury to the mother of the informant as a result whereof she died. Investigation of the case is already completed. The petitioner is in custody since 14.06.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused have been granted bail by this court vide order dated 10.12.2020 passed in Cr. Misc. No. 31211/2020.

Learned APP for the State has opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Bachhwara P.S. Case No. 210/2019 to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, subject to the following conditions:

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

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

(3) The petitioner shall not leave the country without permission of the trial court.

(Anjani Kumar Sharan, J)

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