

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2509 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- DARIYAPUR District- Saran

Rahul Kumar Rai @ Rahul Kumar @ Rahul Kr Rai @ Rahul Kr Son of Ram
Surat Ray Resident of Village - Sadhawara, P.S. - Dariyapur, District – Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Homayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-03-2021 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, 504, 307, 379 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner alongwith other accused persons is of assaulting the informant, when his son came for his rescue at the same time petitioner assaulted him with farsa with an intention to kill him and caused injury. (Mritunjay) son of informant fell on the ground thereupon, Yogendra Rai snatched golden chain and ring from his possession. Thereafter, Nitish Kr. Rai and Raushan Rai fired with country made pistol.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is specific allegation against the petitioner who assaulted Mritunjay Kumar @ Munna with farsa causing injury on his head and co-accused Roshan Rai also assaulted him with butt portion of Katta. The injury report of Mritunjay Kr. Singh as the doctor opined four injury on his head which are simple in nature. The petitioner is languishing in judicial custody since 08.07.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State 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 Dariyapur P.S. Case No. 77/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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