

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5300 of 2021

Arising Out of PS. Case No.-509 Year-2019 Thana- BIDUPUR District- Vaishali

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RAJIV KUMAR @ RAJIV RAI @ RANJAN SON OF BASUDEO RAI @
BASDEO RAY R/O VILLAGE- GOPALPUR, P.S.- BIDUPUR, DISTRICT-
VAISHALI. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-06-2021 Heard learned counsel for the petitioner and learned

A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant
of regular bail in connection with Bidupur P.S. Case No. 509 of
2019 registered under sections 302 and 34 of the Indian Penal
Code and section 27 of the Arms Act.

As per allegation in the F.I.R., it is stated by the
informant that six accused persons on two motorcycles came.
Three named accused persons including the petitioner herein
were on one motorcycle. It is stated that accused Aditya Kumar
fired on the son of the informant. Other persons started to fire
and escaped. The son of the informant, on being taken to the
hospital, was declared dead.

It is submitted by learned counsel for the petitioner that
the allegations as levelled in the F.I.R. are false and concocted.
The petitioner has been falsely implicated in the case. The



manner of occurrence is other than what has been narrated in the F.I.R. The allegation of firing is against co-accused Aditya Kumar alone and not the petitioner herein. The petitioner is in custody since 31.1.2020.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner has a number of cases pending against him.

Having heard learned counsel for the parties and taking into consideration that the main allegation of firing is on co-accused Aditya Kumar and not the petitioner herein together with the petitioner having remained in custody since 31.1.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bidupur P.S. Case No. 509 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Partha Sarthy, J)

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