

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6815 of 2021

Arising Out of PS. Case No.-262 Year-2020 Thana- SAHPUR District- Patna

Awadh Rai @ Awadh Nath Son of Late kamlapath Rai Resident of Village -
Hathiya Kand, Police Station - Shahpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

For the Informant : Mr. Anil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-06-2021 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the informant through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Sahpur P.S. Case no.
262 of 2020 registered under section 307 and other sections of
the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated by the
informant that the 11 named accused persons including the
petitioner herein had prepared to assault the informant. It is
stated that Awadh Rai and Subodh Rai caught hold of the
informant while Barrister Rai fired which hit the informant in
the left hand.

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



case. The manner of occurrence leading to injury of the informant is other than what has been narrated in the FIR. Referring to the injury report of the informant, it is submitted that the only injury found on the informant is directly attributable to accused Barrister Rai and not the petitioner herein. The petitioner is in custody since 14.7.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that the only injury found on the informant is attributable to the Barrister Rai and not the petitioner herein, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sahpur P.S. Case no. 262 of 2020 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 Additional Chief Judicial Magistrate-1st, Danapur.

(Partha Sarthy, J)

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