

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7014 of 2021

Arising Out of PS. Case No.-245 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

ANIL RAI Son of Chandradeo Rai Resident of Village - Sarariya, P.S. -
Lalganj, District - Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : M/s. Bela Singh, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through Video
Conferencing from their residence.)

2 17-04-2021 The defect(s) as pointed out by the Office be removed by

the learned counsel for the petitioner within two months after
the High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence
punishable under Sections 302/120B of the Indian Penal Code.

As per the prosecution case, the informant stated that on
24.04.2018 while he along with his sister was crossing Hirawati
Senior School, two unknown persons came from the motorcycle
and fired upon his sister due to which his sister fell down from
the motorcycle and succumbed to her injury at the spot.

It has been submitted on behalf of the petitioner that FIR
has been lodged against unknown persons. Name of the



petitioner came in this case in confessional statement of co-accused Dilip Rai. Co-accused Dilip Rai has already been granted bail by a co-ordinate Bench of this Court vide order dated 06.10.2018 passed in Cr. Misc. No. 59723 of 2018. It has further been submitted that petitioner carries criminal antecedent of three cases but in the present case, except confessional statement of co-accused, there is nothing against the petitioner. Petitioner is in judicial custody since 18.08.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Hajipur Sadar P.S. Case No. 245 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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