

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11988 of 2021

Arising Out of PS. Case No.-23 Year-2020 Thana- SALIMPUR District- Patna

SATENDRA RAI @ SATENDRA PRASAD, SON OF LATE HARI
CHARAN RAI, RESIDENT OF VILLAGE - SAIDPUR, P.S. - SALIMPUR,
DISTRICT - PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Kumar, Advocate
For the Informant	:	Mrs. Kumari Sujata Sinha, Advocate
For the Opposite Party/s	:	Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 28-10-2021 Heard the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

According to the First Information Report submitted on 31.01.2020, four persons including the petitioner fired at the nephew of the informant at 04:00 p.m. on 30.01.2020 causing his death.

Learned counsel for the petitioner submits that the Doctor has found only two firearm injury which belies the claim of the informant to be an eyewitness of the occurrence. Moreover, inquest report was prepared at 10:30 p.m. on 30.01.2020 by the police and the informant is one of the signatories on the said report but there is no mention of the



name of the assailants in the column meant for that. Petitioner is in custody since 26.06.2020. Investigation of the case against the petitioner is already complete.

Learned counsel for the informant vehemently opposed the prayer for bail on merit as well as on the ground that the trial is under progress.

Considering the aforesaid conflict in the prosecution case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Salimpur Police Station Case No. 23 of 2020, subject to the following conditions:-

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

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

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

(Birendra Kumar, J)

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