

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10549 of 2022

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

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1. RUDAL RAI SON OF LATE SONELAL RAI RESIDENT OF VILLAGE-SAIDPUR, P.S.- SALIMPUR, DISTRICT-PATNA
 2. NITISH RAI SON OF LATE SONELAL 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.Shivam

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-06-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 147, 148, 149, 302 of the Indian Penal Code and 27 of Arms Act.

The allegation as per the First Information Report is that on 30.01.2020 when the nephew of the informant was going to attend the rituals of his marriage, he was accosted and surrounded by 13 named accused persons including petitioner



and three unknown persons and they started firing at him. It has further been alleged that out of 13 named accused persons, four named accused persons namely, Rudal Rai, Nitish Rai, Dhanraj Rai and Mrityunjay Kumar dragged the nephew of the informant in the field where Mithilesh Kumar, the elder brother in-law of Rudal Rai, Satyendra Prasad and Damaru Rai having pistols in their hands fired at the nephew of the informant, on account of which, he died on the spot

Learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in this case. Allegation of firing against co-accused person, Mithilesh Kumar. The Petitioner No. 1 is accused in four other cases and the Petitioner No. 2 carries three criminal cases as stated at para 3 of the bail petition. The other co-accused person has already been granted bail by coordinate Bench of this Court vide order dated 22.06.2022 passed in Cr. Misc. No. 7512 of 2022. The petitioner are in custody since 31.07.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances, the petitioners above-named, are directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge III, Barh, in connection with S.T. No. 733 of 2021 arising out of Salimpur P.S. Case No. 23 of 2020, with further conditions:-

1. One of the bailors must be a close relative of the petitioners.
2. If the petitioners are found involved in any criminal case in future their bail bond will liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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