

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27908 of 2021**

Arising Out of PS. Case No.-132 Year-2020 Thana- NAYAGAON District- Saran

=====

SURENDRA RAY @ SURENDRA KUMAR Son of Sri Rajendra Ray  
Resident of Village - Ramjee Chak, Chainpur Kothi, P.O.- Bataganj, Dinapur  
Cum Khagaul, P.S.- Nayagaon, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.A.G.

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

7      20-06-2022                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor representing the State.

The petitioner apprehends arrest in a case registered  
  
for the offence punishable under sections 302/34 of the Indian  
  
Penal Code and section 27 of the Arms Act.

Learned counsel for the petitioner submits that the  
  
petitioner is innocent and has falsely been implicated in this  
  
case. He submits that from the FIR itself it is clear that the  
  
allegation of causing fire arm injury to the deceased is against  
  
co-accused Ashok Rai and Manoj Rai. Moreso, petitioner has  
  
become victim of mistaken identify as there is allegation that  
  
one Surendra Ray, son of Late Shivnandan Rai was driving the  
  
vehicle at the relevant time, though petitioner is



Surendra Ray @ Surendra Kumar S/O Sri Rajendra Ray.  
Besides this, there is no allegation of overt act against him.  
Petitioner has got no criminal antecedent.

In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Saran at Chapra in Nayagaon Police Station Case No. 132 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Shashi

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