

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19436 of 2022

Arising Out of PS. Case No.-158 Year-2018 Thana- MANIHARI District- Katihar

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SHUBHNARAYAN RAI @ SHUBH NARAYAN ROY Son of Late Jai Ram Roy @ Jai Narayan Roy Resident of Village - Mohnadib, P.S.- Barari, Distt.- Katihar, at present residing at Mohalla- Sakoragarb, P.S.- and Distt.- Sahebganj, Distt.- Jharkhand.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-12-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, ten named accused persons are said to have assaulted the husband of the informant with the butt of a rifle, gun etc. as a result of which, the informant's husband was taken to the hospital and was declared dead by the doctors in the hospital.

It is submitted by learned counsel for the petitioner that the informant is not an eye witness to the occurrence which would be evident from the fact that she does not make any



allegation of gunshot having been fired though in the post-mortem report, the injury nos.1 and 2 in the opinion of the doctor have been caused by bullet gun injury. It is further submitted that similarly situated co-accused Pradeep Yadav as also others have been granted bail by different orders which have been brought on record as Annexure-4 series and the petitioner is in custody since 25.2.2022.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made by learned counsel for the petitioner, grant of bail to similarly situated co-accused like Pradeep Yadav and others vide Annexure-4 series, the petitioner having remained in custody since 25.2.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Manihari P.S. Case no.158 of 2018 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 Judicial Magistrate 1st Class, Katihar.

(Partha Sarthy, J)

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