

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23856 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- RAJPUR District- Buxar

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Amit Kumar Rai Son Of Shashikant Rai R/O Village- Dihri, P.S.- Rajpur,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 09-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rajpur P.S. Case No. 22 of 2022 lodged under Sections 341,
323, 307, 120(B) of the I.P.C.

As per the prosecution case, the informant has
disclosed that at about 7 P.M of 26.01.2022, the informant's son
went to shop and was coming home. It has been alleged that the
accused petitioner with co-accused Dipak Tiwari were standing
at western house of Late Ramdani Khalifa and other fired by
pistol on the son of the informant. Upon gun shot injury, he fell
down in front of the door of Raghuvansh Rai. On being heard,

informant reached there and found that his son lied there with full of blood and both the accused persons fled away. It has been stated that the said story has been narrated to the informant by his son.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He is a student and the injured said Pawan Kumar Rai is basically a criminal and having enmity with different types of persons in Para-9 of the petition. Learned counsel has described the cases pending against the said injured. Learned counsel for the petitioner submits that the entire F.I.R. is based on hearsay evidence. He submits that from the injury, it transpires that injury is not of severe nature. Learned counsel for the petitioner further submits that there was a threat upon the petitioner and in this regard, he has already filed Annexure-2 before the A.C.J.M. Buxar, that somebody may file a criminal case against him. Learned counsel for the petitioner further submits that antecedent of the petitioner is clean and he is in custody since 02.03.2022. Charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and

the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Vth, Buxar in connection with Rajpur P.S. Case No. 22 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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