

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34201 of 2021**

Arising Out of PS. Case No.-121 Year-2020 Thana- JURAWANPUR District- Vaishali

KARU RAI @ RAM PRAWESH RAY Son of Jagdeo Rai Resident of Village
- Paharpur, P.S.- Jurawanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Kumar Mishra
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad
For the informant	:	Mr. Ashok Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 03-01-2022 Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Jurawanpur Police Station Case No. 121 of 2020, registered for the offences punishable under Sections 147/148/149/341/323/324/307/504/506 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the petitioner, along with other co-accused persons, twenty in numbers, variously armed, surrounded the house of the informant and upon the orders given by the petitioner, the accused persons started firing and one Awadhesh Rai fired upon Dilip Rai by his rifle and co-accused Dukhan Rai



fired upon Anil Rai, due to which they received fire-arm injuries.

Learned Counsel for the petitioner submits that no overt act has been alleged against the petitioner and he has been described as an order giver only. He next submits that both the parties are co-villagers and there is previous land dispute between them. He further submits that there is case and counter case between the parties inasmuch as Jurawanpur Police Station Case No. 120 of 2020 has been lodged by co-accused Subodh Rai against the informant and others, for the incident which has taken place on the same date and time. He further submits that the petitioner is in custody since 02.03.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that both the parties are co-villagers, there is previous land dispute between them, there is no direct allegation against the petitioner, and the petitioner is in custody since 02.03.2021, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Jurawanpur Police Station Case No. 121 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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