

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27392 of 2022

Arising Out of PS. Case No.-24 Year-2015 Thana- SALIMPUR District- Patna

1. Rudal Rai Son of Late Sonelal Rai @ Sona Rai Resident of Village - Saidpur, P.s.- Salimpur, Distt.- Patna.
2. Nitish Rai Son of Late Sonelal Rai @ Sona Rai Resident of Village - Saidpur, P.s.- Salimpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Adv. with Mr. Ritwik Thakur, Adv.
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the Informant/s	:	Mr. Md. Anisur Rahman, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 21-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Salimpur P.S. Case No. 24 of 2015 lodged under Sections 302,
120(B)/34 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, there is allegation of
firing against the present petitioners alongwith one person
Dhanraj Rai. The prosecution is that during the agricultural
season for the purpose of doing agricultural work, this dispute
has took place in which firing has made.

Learned counsel for the petitioners submit that for the said land, dispute is going on since 2003 when the grand-father of the petitioners was killed by the informant's side. Subsequently, in the year 2014 again attack was made by the informant's side against the petitioners which is Annexure-2.

Learned counsel for the petitioners further submit that the present case is result of stopping them from doing agricultural work on their land. He further submits that petitioners are in custody since 04.01.2022 by virtue of supplementary affidavit, learned counsel for the petitioners submit that there are 4 criminal cases pending against petitioner no. 1 and 3 cases pending against petitioner no. 2. The petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them by the Court.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a specific allegation against 3 persons to fire on the informant but initially, they have ordered to fire.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to

the petitioners at present but liberty is hereby granted that they shall renew their prayer for bail only after framing of charge in this case. The Trial Court thereafter shall release them on bail imposing its own condition so that they may not evade from trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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