

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42618 of 2021**

Arising Out of PS. Case No.-264 Year-2018 Thana- SALIMPUR District- Patna

Mahabir Rai @ Mahabir Yadav @ Fanny Rai S/O Sri Ramprit Rai R/O
Village- Lakhipur Bigha, P.S.- Salimpur, District- Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Akshansh Ankit, Advocate

For the Opposite Party/s : Mr.Rajeev Nayan, Addl Public Prosecutor

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

2 17-01-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 380/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, FIR named accused persons including the petitioner and other 8 to 10 unknown criminals barged into the house of the informant, took away gold ornaments and cash Rs.1.15 lacs and set the house on fire by sprinkling kerosene oil. Accused persons threatened that if any one gives evidence against them then they will kill him. They took away the grand son of the informant. Motive behind the incident is that there was a love affair between grand son of the



informant and daughter of co-accused Vijay Rai and both of them fled away for marriage for which Salimpur Police Station Case No. 195 of 2018 was registered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. During investigation Police has not found any burnt articles at the place of occurrence. There is general and omnibus allegation against all the accused persons and no specific overt act has been alleged against the petitioner. Petitioner is in custody since 16.1.2021. Similarly situated co-accused have already been allowed bail by different co-ordinate bench of this Court vide Annexure 4 and 4/1.

Learned counsel appearing for the State opposes the prayer for bail. He submits that the petitioner has got criminal antecedent and he has been named in the FIR with allegation that he along with other accused persons entered into the house of the informant and committed aforesaid offence.

Considering the rival submissions of the parties and the materials available on the record, prayer for bail of the petitioner is allowed. Let the petitioner, as named 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 Additional Chief Judicial Magistrate III, Barh
in Salimpur Police Station Case No. 264 of 2018/GR No. 1650
of 2018.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

