

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42091 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- BIDUPUR District- Vaishali

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AMOD RAI @ AMOD KUMAR S/o Nagendra Rai Resident of Village-
Kutubpur Saidpur (Chakmahmad), P.S.- Biddupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Bidupur PS case no. 03 of 2021 instituted for the offences punishable under Sections 302 and other allied sections of Indian Penal Code and 27 of Arms Act.

The allegation is regarding 11 named accused persons including the petitioner, who were variously armed, having arrived at the door of the house of the informant, whereafter all the accused persons had engaged in assaulting the informant and



his family members and co-accused person namely Vijay Rai had fired with his countrymade pistol on the father of the informant, resulting in his subsequent death.

The learned Senior counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 10.05.2021. The learned Senior counsel for the petitioner has further submitted that the allegation of firing is on the co-accused person namely Vijay Rai and as far as the petitioner is concerned, a general and omnibus allegation has been levelled. It is further submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 21.12.2021, passed in Cr. Misc. no. 36045 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person who had already been granted bail by a co-ordinate Bench of this Court, I deem it fit



and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur PS case no. 03 of 2021.

(Mohit Kumar Shah, J)

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