

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37217 of 2022

Arising Out of PS. Case No.-590 Year-2019 Thana- MANER District- Patna

RABINDRA RAY SON OF LATE KALIKA RAY RESIDENT OF VILLAGE
AND P.O.- SHERPUR, P.S.- MANER, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jai Shankar Pathak
For the Opposite Party/s	:	Mr.Narsingh Tanti
For the informant	:	Mr. Rajesh Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under sections 147, 148, 149, 387, 307, 302, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the co-accused persons demanded *rangdari* of rupees four lakhs from the informant. When the informant protested, the petitioner along with other co-accused persons armed with lethal weapons came and started



damaging the wall of the informant's under-construction house. On protest by the informant, the co-accused persons fired on him and his family. The present petitioner Rabindra Ray fired from his brother's rifle which bruised the left side of the stomach of the informant's cousin brother Raj Kumar.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person Munna Rai has already been granted bail by a Co-ordinate Bench *vide* order dated 23.06.2020 passed in Cr. Misc. No. 18682 of 2020. The petitioner is also accused in three other criminal cases as stated in para 3 of the bail petition which are not related to section 302 of the Indian Penal Code. The injured Raj Kumar sustained injury as abrasion as per the impugned order. The petitioner is in custody since 22.03.2022.

Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of firing on Raj Kumar.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged



on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Maner P.S. Case No. 590 of 2019, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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