

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8464 of 2021

Arising Out of PS. Case No.-217 Year-2019 Thana- MOTIPUR District- Muzaffarpur

SHIV SHANKAR RAI Son of Ram Ekbal Ray Resident of Village -
Morasandi, P.S.- Motipur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 32905 of 2021

Arising Out of PS. Case No.-217 Year-2019 Thana- MOTIPUR District- Muzaffarpur

CHHOTE LAL RAY Son of Gagandev Ray Resident of Village - Marsandi,
P.S.- Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8464 of 2021)

For the Petitioner/s : Mr. Rambabu Rai, Adv.

For the Opposite Party/s : Mr. Shakir Ahmad, APP

(In CRIMINAL MISCELLANEOUS No. 32905 of 2021)

For the Petitioner/s : Mr. Rambabu Rai, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 03-03-2022 Heard the learned counsel for the petitioners and

the learned APP for the State.

Both the applications have been heard together

and a common order is being passed.

The petitioners in both the applications seek bail in

anticipation of their arrest in connection with Motipur P.S.



Case No. 217/2019 instituted for the offences under Sections 302/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

It appears from the prosecution report that the son of the informant was shot at by one Jagdish Rai and his associates. When the informant learnt about this fact, he went to meet his son, who was lying in an injured condition. He is said to have told his father (informant) that Jagdish Rai and Rajkishore Rai have injured him. Later, the deceased died.

The learned counsel for the petitioners in both the applications has submitted that because the petitioners have close liaison with the co-accused Jagdish Rai, they have also been named in the F.I.R. Apart from the aforesaid statement of the informant regarding participation of the petitioners in the occurrence, there is no other material to connect them with the offence.

Mr. Akbar Ali, learned APP however, has not been able to point out any anomaly in the aforesaid argument advanced on behalf of the petitioners.



Taking into account the aforesaid facts, the petitioners were granted provisional bail by order dated 20.12.2021.

Since, there is no other material against the petitioners except what has been stated above, the provisional bail granted to the petitioners, is hereby confirmed.

The petitioners shall remain on the same bail bonds.

Both the applications stand allowed.

(Ashutosh Kumar, J)

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