

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66074 of 2021

Arising Out of PS. Case No.-195 Year-2021 Thana- SARAI District- Vaishali

LAL DEV RAI, Son of Late Jai Ram Rai Resident of Village- Anwarpur, P.O.
Paura, P.S.- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivam, Adv.
For the Opposite Party/s	:	Mr.Pramod Kumar Pandey, APP
For the informant	:	Mr. Rajeev Ranjan No. II, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 27-04-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B, 394 and 384 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated that Dharmendra Singh and Arvind Singh took away the husband of the informant asking him to get their motorcycle repaired. It is stated that on the husband of the informant going with them, four other accused persons including the petitioner herein started to abuse and beat up the informant's husband and started forcing him to sign on a blank paper. Thereafter, it is stated that



Dharmendra Singh fired from a pistol hitting the informant in his hand and neck as a result of which the informant's husband died on the spot.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Even as per the FIR, it is Dharmendra Singh who is said to be the sole assailant. The petitioner is in custody since 21.07.2021.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that in course of investigation, it has transpired that the petitioner has played a major role in the conspiracy leading to the murder of the deceased which was for the reason of an extra marital relationship of the deceased and the daughter-in-law of the petitioner.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR being mainly against Dharmendra Singh and not the petitioner, the petitioner having remained in custody for nine months and charge-sheet having been submitted in the case, the petitioner, above-named, is directed to be released on bail in connection with Sarai P.S. Case No. 195 of 2021 on his furnishing bail-bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned Chief Judicial Magistrate,
Vaishali at Hajipur.

(Partha Sarthy, J)

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