

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67179 of 2021

Arising Out of PS. Case No.-305 Year-2021 Thana- MANER District- Patna

BALI RAM RAI @ BALIRAM KUMAR, age-29 years (Male), Son of Late Basawan Rai, Resident of Village- Gyaspur, P.S.- Maner in the district of Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate
For the Opposite Party : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and learned counsel for the State through Virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Maner P.S. Case No. 305/2021, for the offence registered under Sections 147, 341, 323, 324, 325, 326, 307, 109, 506 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that co-accused Manoj Kumar Rai, his son Amit Kumar, his younger brother accused Ramjeet Rai and his companions including Bali Ram Rai (petitioner) and Dhananjay Kumar attacked the informant,



his father-in-law Jogeshwar Singh, Kartik and Piyush in front of the house of co-accused Manoj Kumar who is also present 'Mukhiya', when they were returning after visiting their Mango Orchard. It is further alleged that exhorting other accused persons, co-accused Manoj Kumar handed pistol to co-accused Dhananjay who shot the informant in his chest and bullet exited from the other side of his body. Bali Ram Rai (petitioner) and other co-accused Amit and Sanjeet Kumar had seized the informant. Thereafter, all other accused persons also assaulted the informant's father-in-law, Kartik and Piyush by *Lathi* and *Iron rod*. The informant's father-in-law was '*Ex-Mukhiya*' for about twenty seven years and he was actively canvassing in the election and the present '*Mukhiya*' co-accused Manoj Kumar was apprehensive of his defeat if the informant's father-in-law would remain alive, canvass and contest the election. The alleged incident was committed because of the above reason.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no allegation of assault alleged against this petitioner. The allegation of assault is alleged against the co-



accused, namely, Dhananjay who is alleged to have fired upon the victim.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII, Danapur, Patna, in connection with Maner P.S. Case No. 305/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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