

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69174 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- SAHIYARA District- Sitamarhi

GANESH RAI Son of Jawahar Rai Resident of Village - Ram Nagara, Ward no.15, P.S.- Riga, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Sahiyara P.S. Case No.60 of 2020 registered for the offence under Sections 307/34 of the IPC and Section 27 of the Arms Act.

As per prosecution case, while the informant, his son Vikki Kumar and two co-villagers Abdul Rajjak and Surendra Chaudhary were returning from market on motorcycle, three unknown motorcycle borne miscreants surrounded them and fired three shots in which one shot hit Surendra Chaudhary, who was driving the motorcycle, causing injury in the stomach.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He submits



that as a matter of fact injured Surendra Chaudhary was director of the school and petitioner was his driver and there was dispute between them with respect to payment of wage. Moreover, during investigation, except the injured Surendra Chaudhary, no other witness has supported the prosecution case. Petitioner claims clean antecedent and he is in custody since 6.9.2021. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 23358/21.

However, learned APP for the State opposed the prayer for regular bail.

In the facts and circumstances of the case, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist class, Sitamarhi in Sahiyara Police Station Case No. 60 of 2020.

(Prabhat Kumar Singh, J)

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