

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69531 of 2021**

Arising Out of PS. Case No.-41 Year-2021 Thana- GHORASAHAN District- East
Champanan

=====

Raju Rai @ Raju Kumar Yadav, Son Of Imachan Rai @ Bhikhari Rai @
Bhkhari Rai Resident Of Village- Pipra, P.S.- Jitna, District- East Champanan.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
		Ms. Rashmi Jha
For the Opposite Party/s :		Dr. Mrityunjaya Kr. Gautam

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 302, 120(B) of the Indian Penal Code and Section 27
of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on 29.01.2021 at 10.00 P.M., accused persons
including the petitioner came variously armed along with 25-30
unknown accused and Lal Babu Rai, Rajeshwar Rai,
Kameshwar Rai caught the son of the informant namely, Amit
Lal Yadav. It is next alleged that Rajeshwar Rai fired killing his



son on the spot. Further, on alarm, villagers gathered on which, the accused started fleeing and while fleeing, Kameshwar Rai and Suraj Kumar shot Gama Rai, who also died at the spot.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that specific allegation of catching the son of the informant is against Lal Babu Rai, Rajeshwar Rai and Kameshwar Rai and specific allegation of firing killing his son against Rajeshwar Rai and thereafter allegation of killing Gama Rai is against Kameshwar Rai and Suraj Kumar by firearm. The learned counsel thus submits that petitioner being family members of the accused has been falsely implicated without any overt act.

The leaned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that no specific overt act has been against the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Court below where the case is pending in connection with Ghorasahan P. S. Case No.41 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

