

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.749 of 2022

Arising Out of PS. Case No.-248 Year-2020 Thana- PATORI District- Samastipur

SUDHIR RAY Son of Jai Kishun Ray @ Kunwar Ray Resident of Village-
Uttari Dumari, P.S.- Patori, O.P. Mohanpur, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-02-2022 Heard Mr. Santosh Kumar, learned Counsel for the

petitioner and Mr. Rajendra Prasad Nat learned Additional

Public Prosecutor for the State *via* virtual mode.

The petitioner seeks regular bail in connection with
Patori Police Station Case No. 248 of 2020, registered for the
offences punishable under Sections 147/149/341/323/504/302/
of the Indian Penal Code and Section 27 of the Arms Act.

Altogether ten named accused persons including the
petitioner, arrived at the place of occurrence, having pistol and
other lethal weapons in their hands and on the instigation of one
Jantu Rai, co-accused Surendra Rai fired upon the son of the
informant, due to which he died.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he is at best a member of unlawful assembly. He next
submits that no overt act has been alleged against the petitioner
and similarly situated co-accused person, Vishwanath Ray (vide
order, dated 24.09.2021, passed in Criminal Misc. No. 38608 of



2021), Rajo Rai and Mahesh Rai (vide order, dated 30.09.2021, passed in Criminal Misc. No. 23304 of 2021) and Jogi Rai (vide order, dated 17.12.2021, passed in Criminal Misc. No. 32617 of 2021) and one Nitish Ray *vide* Cr. Misc. No. 53478/2021 have been granted bail by this Court. It is also submitted that petitioner having no criminal antecedent is in custody since 30.09.2021.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials available on record and the fact that the petitioner is in custody since 30.09.2021 having no criminal antecedent and similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Let the petitioner, SUDHIR RAY, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Samastipur, in connection with Patori PS Case No. 248 of 2020.

(Anil Kumar Sinha, J)

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