

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9450 of 2023**

Arising Out of PS. Case No.-282 Year-2020 Thana- CHIRAIYA District- East Champaran

DIPAK RAI @ DEEP NARAYAN RAI @ DIPAN RAI Son of Dev Chandra  
Rai Resident of Village- Sapgdha, P.S.- Chiraiya, District- East Champaran at  
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      07-07-2023                      Heard learned counsel for the petitioner, informant and  
learned APP for the State.

The petitioner has prayed for regular bail in a case  
instituted for the offence under Sections 302, 307, 341, 323, 325,  
324, 504 and 506/34 of the Indian Penal Code and Section 27 of the  
Arms Act.

As per prosecution case, When the informant and his  
family members were working on their land then all accused persons,  
who are named in the FIR came with *lathi, danda, farsa* and rod. The  
allegation against the petitioner is of firing upon the Santosh Rai, due  
to which he sustained injury and became senseless. It is further  
alleged that the other co-accused persons fired upon the informant's  
husband namely Ramkewal Rai, due to which he died.

It is submitted by learned counsel for the petitioner that



petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. The specific allegation of firing is against co-accused Punyadev Rai, who shot fired upon the informant's husband, due to which he died. There is no specific overt act against the petitioner of firing to the deceased. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 08.09.2021.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Chiraiya P.S. Case No. 282 of 2020.

**(Sunil Kumar Panwar, J)**

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