

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11978 of 2023

Arising Out of PS. Case No.-71 Year-2014 Thana- VAISHALI District- Vaishali

Sonelal Rai, Son of Late Kamal Rai, R/O Village- Khajuatta, P.S.- Vaishali,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Vaishali
P.S. Case No. 71 of 2014 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

As per the prosecution case, when the husband of the
informant went to sleep in bathan then the informant heard
sound of firing and the informant saw that petitioner alongwith
co-accused Suraj Rai and Raju Rai were fleeing away from the
place of occurrence and her husband was lying dead.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. There is no eye-witness of the alleged occurrence and the
name of the petitioner has been dragged due to previous land



dispute between the parties. There was only one fire arm injury on the chest of deceased. The petitioner at the relevant point of occurrence was working in Karnataka. The petitioner has one criminal antecedent in which he is on bail. It is further submitted that Coordinate Bench of this Court vide order dated 12.03.2015 in Criminal Miscellaneous No. 5967 of 2015 and vide order dated 02.02.2023 in Criminal Miscellaneous No. 58850 of 2022 have granted bail to the co-accused persons, namely, Suraj Rai and Raju Rai respectively who are similarly situated co-accused persons.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 71 of 2014.

(Sunil Dutta Mishra, J)

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