

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17246 of 2023

Arising Out of PS. Case No.-999 Year-2022 Thana- BIHTA District- Patna

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RAHUL RAI @ RAHUL KUMAR S/O JWALA RAI RESIDENT OF
VILLAGE- PASCHIMI DORIGANJ, P.S.- DORIGANJ, DISTRICT- SARAN
(CHAPRA).

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

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Appearance :

For The Petitioner/S	:	Mr. Ghanshyam Tiwary, Advocate
For The Opposite Party/S	:	Mr. Brajendra Nath Pandey, App

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections .147, 148, 149, 307,
379, 120(B), 160, 216, 302 of the Indian Penal Code and u/s
27 of Arms Act.

On 29.09.2022 at about 11.40 AM informant got
information that at Sone Diara near Kawariya Ghat firing is



going on between two groups to assert supremacy over sand mining. When the informant reached the place of occurrence all of them fled away. Local chowkidar and villagers named all the F.I.R named accused persons including this petitioner and in this cross firing four persons were killed.

It is submitted that petitioner is innocent and falsely been implicated in this case by the informant merely only on the basis of suspicion. There is no specific allegation against petitioner. No incriminating materials, arms or any illegal articles have been recovered from the possession or house of the petitioner. Hence, no case under sections 147, 148, 149, 307, 379, 120(B), 160, 216, 302 of the Indian Penal Code and u/s 27 of Arms Act is made out against the petitioner.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.OI, Danapur (Patna) in connection with Bihta P.S. case no 999 of 2022, of subject



to the conditions laid down under section 438(2) of the Code
of Criminal Procedure.

(Prabhat Kumar Singh, J)

Kaushik/-

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