

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20837 of 2023

Arising Out of PS. Case No.-126 Year-2019 Thana- RAGHOPUR District- Vaishali

RANVIJAY RAI @ VIJAY RAI SON OF LATE BAHADUR RAI R/O VIL-
LAGE- SUKUMARPUR, P.S.- RAGHOPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.G. Verma, Sr. Advocate

Mr. Kameshwar Singh, Advocate.

For the Opposite Party/s: Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

6 26-07-2023 Heard Mr. Y.C. Verma, learned senior counsel for

the petitioner and Mr. Pawan Kumar Chaurasia, learned

Additional Public Prosecutor appearing for the State.

2. Petitioner seeks regular bail in connection with

Raghopur P.S. Case No. 126 of 2019 registered for the of-

fence punishable under Sections 147, 148, 149, 341, 342,

323, 452, 354, 307, 326, 302, 201, 120-B, 504, 506 of the

Indian Penal Code 1860 and Section 27 of the Arms Act.

3. As per the prosecution story, three persons

namely, Sanjivan Rai, Chanarik Rai and Putul Rai, were

killed by firearm and their dead bodies were thrown in the

river.

4. This is third attempt for grant of regular bail on

behalf of the petitioner inasmuch as earlier on two



occasions the bail application of the petitioner was rejected by this Court vide orders dated 15.12.2021 and 6188 of 2022 passed in Cr. Misc. 28203 of 2021 and 6188 of 2022 respectively with liberty to renew his prayer for grant of regular bail after one year.

5. Learned senior counsel for the petitioner submits that there is no eye witness to the occurrence and the petitioner along with four other persons including Jai Kant Rai shot dead Nazir Roy. The bail application of the petitioner was rejected for the second time by this Court observing that bail application of similarly situated co-accused Jaikant Rai was rejected by a co-ordinate Bench of this Court in Cr. Misc. No. 27850 of 2021. The bail application of the other accused persons have been allowed by this Court.

6. Referring to an order passed by a co-ordinate Bench of this Court in Cr Misc. 24617 of 2022, learned counsel submits that Jaikant Rai has been granted bail by a co-ordinate Bench of this Court. The case of the petitioner is similarly situated to Jaikant Rai.

7. On the other hand, learned counsel for the informant



vehemently opposed the prayer for bail and submits that in the first instance the petitioner suppressed the fact regarding his criminal antecedent. However, the petitioner has disclosed all his criminal antecedents.

8. This Court vide order dated 17.5.2023 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur is on record and from perusal of the same, it transpires that there are 19 charge sheet witnesses but none of them has been examined as yet. The petitioner is in custody since 21.01.2021.

9. Regards being had to the submission made by the parties and taking into consideration the fact that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, the petitioner is in custody since 21.01.2021 and there is slow progress of the trial, I am inclined to grant regular bail to the petitioner.

10. Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional District & Sessions Judge IX, Vaishali at Hajipur, in connection with Raghopur P.S. Case No. 126 of 2019.

(Anil Kumar Sinha, J)

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