

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23870 of 2023

Arising Out of PS. Case No.-178 Year-2022 Thana- BAIRIYA District- West Champaran

Raiful Gaddi @ Raiful Azam Son Of Habib Gaddi Resident Of Village-
Bagahi, Police Station-Bairiya, District-West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Bairiya P.S. Case No. 178 of
2022 dated 06.06.2022 registered for the offences punishable u/s
341, 323, 324, 307 and 379 read with 34 of the Indian Penal
Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner along with
other co-accused persons stopped the car of the informant and
the co-accused Ravindra Chaudhary gave order to kill and fired
on Mohan Sahni and assaulted on the head of Santosh
Chaudhary by the butt of the pistol. Thereafter, the co-accused
Kaish Gaddi gave a blow of knife on the stomach of Santosh



causing cut injury and took Rs. 95,000/- and a mobile phone. Thereafter, the injured was taken to hospital for treatment.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is no overt act against the petitioner. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 23.01.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Bairiaya P.S. Case No. 178 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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