

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34214 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- DHAMDAHA District- Purnia

RAJIV RAY @ RAJIV KUMAR RAY son of Mod Kumar Ray Village-
Amari Kukroun Ps- Dhamdaha Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Sessions Trial No. 107 of 2023/CIS No. 107 of 2023 arising out of Dhamdaha P.S. Case No. 144 of 2022 registered for the offences under sections 341, 302, 120(B) and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 14.06.2022 by the informant, Pinki Devi.

The prosecution case, in short, is that husband of the informant was the driver of a tractor. On 13.06.2022, five named accused persons intercepted the informant's husband and assaulted him and one of them fired due to which informant's husband sustained gun-shot injury. Thereafter, on the way to hospital, the informant's husband died. Accordingly, the FIR.



Learned Counsel for the petitioner submits that he is not named in the FIR rather his name came in the confessional statement of Raja Kumar @ Rajeev Kumar who was granted bail by Sub-ordinate Court itself on 06.02.2023.

It is his further submission that another co-accused, Vikash Yadav has also been granted bail by a co-ordinate bench vide Cr. Misc. No. 32262 of 2023 on 21.06.2023.

Let the same be kept on record.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that his name has come in the confessional statement of co-accused.

Taking into account the aforesaid facts as also that some other co-accused persons, as stated above, have been granted bail and further he is in custody since 29.09.2022, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned 2nd Additional Sessions Judge, Purnea in connection with Sessions Trial No. 107 of 2023 arising out of Dhamdaha P.S. Case No. 144 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his
bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Neha/-

U			
---	--	--	--

