

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43153 of 2023

Arising Out of PS. Case No.-122 Year-2021 Thana- SAHPUR District- Patna

VINOD RAI Son of Late Manegar Rai @ Mainejar Ray Resident of village -
Mathiyapur, P.S. - Shahpur, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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

ORAL ORDER

2 21-07-2023 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.

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

3. The petitioner has preferred this application for
grant of regular bail in connection with Shahpur P.S. Case No.
122 of 2021 dated 30.03.2021 registered for the offences
punishable under Sections 147, 148, 323, 307, 326, 302 and 149
of the Indian Penal Code and Sections 27 of the Arms Act.

4. As per the prosecution case, on 29.03.2021,
accused Baban Rai came to the house of the informant and told
his aunt that her daughter was seen with some other persons for



which the informant's uncle and the co-accused Pappu Rai began to fight. Thereafter, the co-accused Pappu Rai called the petitioner and the co-accused persons along with 2-3 unknown persons holding weapons and assaulted the informant's uncle and Sujeet Kumar. When some people came to rescue informant's uncle, then the accused fired and injured Sujeet Kumar. In the meantime, the informant also went to rescue, then he also got injured by firearm injury. Later on, Sujeet Kumar succumbed to the said injury during the course of treatment.

5. 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. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 05.08.2022 passed in Cr. Misc. No. 25173 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.12.2022.

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

7. 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, Danapur, Patna in connection with Shahpur P.S. Case No. 122 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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