

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43447 of 2023**

Arising Out of PS. Case No.-5 Year-2023 Thana- RAXAUL RAIL P.S. District- West
Champaran

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RAM PRASAD, Son of Surya Prasad R/V- Ghamhariya, P.S.- Raxaul, District - East
Champaran, Unnao, State - Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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

ORAL ORDER

2 27-07-2023 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 Raxaul Rail P.S. Case No. 05 of
2023 dated 08.02.2023 registered for the offences punishable u/ss
394, 307 of the Indian Penal Code and u/s 27 of the Arms Act.

4. As per the prosecution case, the co-accused persons
along with some unknown miscreants fired and inflicted knife
blow on the informant's brother and looted Rs. 15,00,000/- from
him. The informant's brother was taken to the hospital for
treatment.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case merely on suspicion. It is further submitted that the prior to T.I.P., the police has shown the photo of the petitioner to the victim and on the basis of the photo, the victim identified the petitioner. The petitioner has no concern with the alleged offence. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 19.02.2023.

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, Bettiah, West Champaran in connection with Raxaul Rail P.S. Case No. 05 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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