

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48149 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- PATORI District- Samastipur

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RAGHUVVEER RAI Son of Baleshwar Rai Resident of Village - Chakjalal ,
P.s.- Tajpur (Halai), Distt.- Samastipur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 341, 323, 302, 504,
506/34 of the Indian Penal Code and sections 27 of the Arms
Act.

As per allegation in the FIR, while the informant and
her daughter was going to their house, three accused persons
came there on motorcycle and co-accused Sanjay Rai and his
son Bipin caught hold the hands of the informant's husband and
co-accused Ram Darshan opened fire upon him as a result of
which he succumbed to the injuries on spot.

It is submitted by learned counsel for the petitioner
that petitioner is innocent. He has been falsely implicated in this
case. Petitioner is not named in the present case. On the basis of



confessional statement of co-accused Manish Kumar before the police, the name of the petitioner has come into light which has no evidentiary value in the eye of law. The case of the petitioner stands on better footings to that of the co-accused, Manish Kumar, who has already been granted regular bail by another Bench passed in Cr. Misc. No. 47726 of 2022 vide order dated 20.12.2022. Petitioner is languishing in judicial custody since 15.03.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. They submitted that petitioner is conspirator of the present case.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Samastipur in connection with Patory P.S. Case No. 41 of 2022.

(Sunil Kumar Panwar, J)

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