

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51824 of 2023**

Arising Out of PS. Case No.-220 Year-2017 Thana- BAKHTIYARPUR District- Patna

Ram Shlok Rai @ Ram Ishlok Rai @ Ram Ashlok Ray Son Of Late Lakhan  
Rai Village Chiraiya Ps Bakhtiyarpur District Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                           |
|--------------------------|---|---------------------------|
| For the Petitioner/s     | : | Mr.Bela Singh             |
| For the Opposite Party/s | : | Mr.Mithlesh Kumar Khare   |
| For the Informant        | : | Mr. Awadhesh Kumar Mishra |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      30-10-2023                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the F.I.R., when the informant along with his cousin Yogendra Rai and his nephew Awadhesh Rai were sitting at his door in the meantime accused persons including the petitioner came there with arms and started to abuse them. It is further alleged that co-accused Gauri Shankar ordered to kill him, upon which petitioner with intention to kill gave a Garasa blow on head of Yogendra Rai and injured him



due to which he fell down. The other co-accused persons have also assaulted Awadhesh Rai with iron rod due to which he sustained injury. The co-accused Dukhan Rai and Lal Mohan Rai came with rifle and started firing which hit one Jai Kumar Rai on his head and due to that he succumbed to his injury.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is submitted in para 8 of the petition that for the same incident with a different story, a Bakhtiyarpur P.S. Case No. 216 of 2017 was instituted on the fardbeyan of mother of the deceased Jai Kumar Rai against 10 named persons (excluding the present petitioner), with allegation that Akhilesh Rai fired upon his son due to which he succumbed to his injury. Even petitioner is not named by the informant in any way in the aforesaid case. As per prosecution case, there is no repetition of blow against the petitioner. No specific overt act of opening fire upon the deceased against the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 25.05.2023.

5. The application for bail is opposed by learned APP



for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Bhaktiyarpur P.S. Case No. 220 of 2017.

**(Sunil Kumar Panwar, J)**

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