

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49772 of 2023

Arising Out of PS. Case No.-159 Year-2022 Thana- JURAWANPUR District- Vaishali

Brij Ray @ Brij Rai, Son Of Late Bhaggu Ray, R/o-Shiv Nagar Vishram Tola,
P.S.-Jurawanpur, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Jee, Advocate
For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to correct the age of the petitioner in cause title during the course of the day.

3. The petitioner is apprehending his arrest in connection with Jurawanpur P.S. Case No. 159 of 2022 registered for the offences punishable under Sections 307, 379 and Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, co-accused Pappu Rai @ Ata Gope caught hold the informant and pushed her down on the ground and snatched away her gold chain and shot on her back from pistol. Thereafter, upon hearing the sound of firing



father-in-law of the informant came there and try to catch him then co-accused Bablu Rai and petitioner Brij Rai told to shoot him also then he returned back.

5. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He is 70 years old person and suffering from several ailments and unable to move without assistance. There is no specific allegation against the petitioner. He further submits that there is no case made out under Section 307, 379 of the IPC and Section 27 of the Arms Act. He has no criminal antecedent. Petitioner and informant are *pattidar* and there is land dispute going on between the parties.

6. Learned APP opposes the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with



Jurawanpur P.S. Case No. 159 of 2022, subject to the conditions
as laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Sunil Dutta Mishra, J)

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