

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49949 of 2022

Arising Out of PS. Case No.-138 Year-2020 Thana- RAGHOPUR District- Vaishali

RAJEEV RAI @ RAJEEV KUMAR @ RAJEEV KUMAR RAI SON OF
AVADHESH RAI R/O VILLAGE- MALLIKPUR, P.S.- RAGHOPUR,
DISTRICT- VAISHALI Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in connection with Raghopur P.S. Case No. 138 of 2020 for the offence registered under Sections 147, 148, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant has alleged that the accused persons armed variously came to their land and started ploughing it by tractor. Upon opposition, amongst others, the petitioner herein exhorted whereafter the specific allegation is against Mukesh Rai of opening fire causing injury to his cousin brother, namely, Sanoj Rai. The further allegation is that there is specific allegation that Mukesh Rai using the 'butt' of the rifle causing injury to the informant.

Learned counsel for the petitioner submits that there is specific allegation against Mukesh Rai and only to implicate, they being a agnate, all the family members have been



implicated. Further submission is that similarly situated other co-accused persons have since been granted relief in Cr. Misc. No.47246 of 2021 vide order dated 05.07.202 by a co-ordinate Bench of this Court.

Learned APP for the State opposes the prayer for bail and submits that

Taking into account the fact that the petitioner has no criminal antecedent, the specific allegation is against Mukesh Rai and similarly placed co-accused persons have since been released on bail as stated above, this Court is also extended the same relief.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Raghapur P.S. Case NO. 138 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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