

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55258 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- NADI P.S. District- Patna

1. Vijay Kumar @ Abhishek @ Abhishek Kumar Son Of Ramesh Kumar Rai @ Ramesh Chandra Nirala Resident Of Village - Jethuli, P.S.- Nadi, District - Patna
2. Rahul Kumar Son Of Ram Pravesh Rai @ Nirala Resident Of Village - Jethuli, P.S.- Nadi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs.Vaishnavi Singh Mr. Ajay Thakur Mr. Ritwik Thakur
For the Opposite Party/s :		Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Nadi P.S. Case No. 76 of 2023 registered under sections 147, 148, 149, 342, 448, 302, 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, while the nephew of the informant was moving his four wheeler towards road from his house, he found the passage was obstructed. When he tried to clear the obstacle, accused persons reached there. The nephew of the informant ran away to his house where the accused



persons including these petitioners also reached and started indiscriminate firing as a result of which four persons of informant's side died.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case due to political rivalry. From perusal of the FIR, it is evident that there is no specific allegation of firing against the petitioners rather general and omnibus allegation has been levelled against all the accused persons including these petitioners. Nothing consistent material has found against them. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 11.10.2023 in Cr. Misc. No 49321 of 2023. Moreover, the petitioners are languishing in judicial custody since 21.02.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Nadi P.S. Case No. 76 of 2023 on each of them furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of the learned Additional District and
Sessions Judge-IV, Patna City.

(Sunil Kumar Panwar, J)

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