

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59010 of 2023

Arising Out of PS. Case No.-999 Year-2022 Thana- BIHTA District- Patna

SHAMBHU RAI Son of Govardhan Rai R/o vill - Harsam Chak, P.S. -
Akkilpur, Distt. - Saran Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 148, 149, 307,
379, 160, 216, 302 and 120B of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution case relates to commission of murder
of the three persons, namely, Shatrudhan Rai, Lal Dev Rai and
Mukesh Rai by indiscriminately firing by the accused persons
including this petitioner and at the instance of two rivalry
groups for earning supremacy on sand mining.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. It is further submitted



that neither the petitioner was arrested on spot nor any eye-witness of the alleged occurrence in this case. There is no consistent evidence came against the petitioner which shows that he has involved in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 21.04.2023 passed in Cr. Misc. No. 11470 of 2023. He is languishing in judicial custody since 03.01.2023.

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

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 Court below in connection with Bihta P.S. Case No. 999 of 2022.

(Sunil Kumar Panwar, J)

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