

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58850 of 2022

Arising Out of PS. Case No.-71 Year-2014 Thana- VAISHALI District- Vaishali

Raju Rai Son Of Shiv Shankar Rai R/V- Khajuatta, P.S- Vaishali, Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that when
the husband of informant went to sleep to bathan then
the informant heard sound of firing and she saw that
petitioner along with co-accused Suraj Rai and Sone Lal
Rai fleeing away from the place of occurrence and her
husband was lying dead.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no eye witness of the alleged occurrence and the name of petitioner has been dragged due to previous land dispute between the parties. It is also submitted that the alleged occurrence has taken place in the full dark night and it is quite impossible for anybody to identify anyone. There was only one firearm injury on the chest of the deceased and another is wound of exit. It is further submitted that petitioner is languishing in judicial custody since 26.05.2022. Moreover, similarly situated co-accused has been granted bail vide order dated 12.03.2015 passed in Cr. Misc. no. 5967 of 2015 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Vaishali P.S. Case No. 71 of 2014 on 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 Sessions Judge XII, Vaishali, Hajipur.

(Sunil Kumar Panwar, J)

nirajkrs/-

U		T	
---	--	---	--

