

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66082 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- KOILWAR District- Bhojpur

1. KALLU RAI @ MITHILESH KUMAR RAI Son of late Rampujan Rai R/v- Sikram Singh Ka Tola, P.S.- Barhara, District- Bhojpur at Ara
2. ANIL RAI Son of late Rampujan Rai R/v- Sikram Singh Ka Tola, P.S.- Barhara, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 302 of the IPC read with section 27 of the Arms Act.

As per the prosecution case, 25 named accused and 30-35 unknown accused persons resorted to indiscriminate firing leading to death of father of the informant and one other person, on the spot itself.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case only on



suspicion. There is no eye-witness to the alleged occurrence. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the P.M. Report of deceased does not corroborate with the allegation levelled in the F.I.R. Petitioner no.1 has five criminal antecedent and petitioner no.2 has six criminal antecedent and several other accused persons have been granted bail by co-ordinate Bench of this Court.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Koilwar P.S. Case No.55 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also the following conditions:-

(i) One of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;



(ii) The petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.”

(Anjani Kumar Sharan, J)

pallavi/-

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

