

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60670 of 2022

Arising Out of PS. Case No.-41 Year-2021 Thana- GHORASAHAN District- East
Champaran

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1. Pramod Rai S/O Jhapas Rai R/O Village- Dadhpar, P.S.- Chiraiya, District- East Champaran
 2. Rameshwar Rai S/O Late Heera Rai R/O Village- Dadhpar, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinav Alok

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 147, 148, 149, 302,

120(B) of the Indian Penal Code and Section 27 of Arms

Act.

The petitioner along with others were alleged to

have killed the son of the informant and subsequently,

they have also killed the nephew of the informant.



It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case only because they are relatives of the main assailant. There is no specific allegation against the petitioners rather the specific allegation of shot fire is attributed against co-accused Rajeshwar Rai. There is general and omnibus allegation against the petitioners and also there is no independent witness of the alleged occurrence. Moreover, petitioners are languishing in judicial custody since 04.07.2022. It is also submitted that similarly situated several co-accused persons have been granted Bail (annexed as Annexure 2) by different co-ordinate Benches 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 petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Ghorasahan P.S. Case No. 41 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, Dhaka, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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