

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62541 of 2022

Arising Out of PS. Case No.-102 Year-2021 Thana- JURAWANPUR District- Vaishali

Mukesh Rai S/O Upendra Rai @ Dhigam Rai, R/O Village- Raghapur East,
P.S.- Jurawanpur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-02-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jurawanpur P.S. Case No. 102 of 2021 lodged under Sections
147, 148, 149, 323, 307, 504 and 506 of the I.P.C. read with
Sections 25(1-B)a/26/27 of Arms Act.

As per the prosecution, F.I.R. has been lodged against
16 named accused persons including the petitioner. Specific
allegation of firing by pistol is upon two persons, namely,
Mukesh Rai (present petitioner) and Umesh Rai.

Learned counsel for the petitioner submits that in the
rejection order passed by Sessions Judge, the injury caused by



fire arm has been discussed and it has been found that the nature of injury is simple. Counsel further submits that both parties are agnates and due to land dispute, the present occurrence took place. He further submits that there is one criminal case pending against the petitioner, in which he is on bail and petitioner is in custody since 26.08.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IXth, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 102 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall



file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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