

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1074 of 2023

Arising Out of PS. Case No.-341 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Santosh Rai @ Kari Ray @ Kari Rai Son Of Fulena Rai Resident Of Village-
Paharpur, Dhabauli, Ward No. 13, P.S.- Muffasil (LAKHO), District-
Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

.. .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gaurav Kumar

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 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 341, 323, 384, 386, 307, 504/34
of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that when the
informant was ploughing his land then petitioner along with
other co-accused persons came there and started abusing
him and they also said that why he has not paid extortion
money of Rs. 5 lakhs before starting the farming on his land.
After that accused persons including the petitioner started
firing and during the firing accused persons caused bullet



wound to their own two people. Accused persons threatened that if the informant will come to his land without paying the extortion money then he will face dire consequences.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that there is general and omnibus allegation levelled against the petitioner. It is further submitted that neither any independence witnesses have supported the prosecution case nor any incriminating evidence has come against the petitioner. One shyam Kishor Kumar @ Kari along with his driver namely Vinay Yadav were going and when they reached near Dhabauli Boss Chimni thereafter Vimlesh Singh @ Botal Singh and his brother Shailesh Singh @ Hakima and Ram Vinay Singh and other persons started firing upon them whereby upon them whereby they sustained injuries and this case has been registered against the petitioner and others to save their skin. Moreover, the petitioner is languishing in judicial custody since 19.08.2022.

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 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 in connection with Muffasil P.S. Case No. 341 of 2022 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 C.J.M., Begusarai.

(Sunil Kumar Panwar, J)

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