

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5317 of 2023

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

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AMIRI RAY @ AMIRLAL RAY @ AMIR RAY Son of Sri Krishnanandan
Rai @ Kitab Ray R/V- Raipur, Bindgawa, P.S- Dariganj, Dist- Saran Chapra
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Koilwar
P.S. Case No. 55 of 2022 dated 22.01.2022 registered for the
offence under Sections 147, 148, 149 and 302 of the Indian Penal
Code and Section 27 of the Arms Act.

The father of the informant is alleged to have been hurt
by the indiscriminate firing resorted to by the petitioner and
other accused persons.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner has not been
named in the F.I.R., however, his name transpired during course
of investigation on the basis of confessional statement of the co-
accused, Neeraj Pandey. Save and except the confessional



statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. Moreover, the co-accused, namely, Raj Kumar Bind, Triloki Bind @ Triloki Kumar Bind @ Triloki Kumar Bind, Ram Shankar Bind @ Rama Shankar Bind along with Yogendra Bind and Guput Bind, Raj Kumar Rai @ Raj Kumar Ray, Arun Ray, Tuntun Sah @ Tuntun Sao Nitish Thakur @ Nitesh Thakur and Raju Rai @ Raju Kumar having more or less similar allegation, have already been granted bail by a co-ordinate Bench of this Court vide order dated 29.08.2022, 23.08.2022, 30.08.2022, 05.09.2022, 16.09.2022, 05.09.2022 and 05.09.2022 passed in Cr. Misc. No. 16989 of 2022, Cr. Misc. No. 17621 of 2022, Cr. Misc. No. 25296 of 2022, Cr. Misc. No. 26057 of 2022, Cr. Misc. no. 29826 of 2022, Cr. Misc. No. 33317 of 2022 and Cr. Misc. No. 36113 of 2022 respectively. The petitioner is rotting in judicial custody since 20.10.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one but out of six he is on bail in three cases.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bhojpur, Ara in connection with Koilwar P.S. Case No. 55 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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