

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23443 of 2024**

Arising Out of PS. Case No.-265 Year-2023 Thana- CHANDI District- Bhojpur

Pawan Rai Son of Mithilesh Rai Resident of Dihari, P.S.- Rajpur, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Chandi
P.S. Case No. 265 of 2023 instituted for the offence under
Sections 147, 148, 149, 341, 342, 307, 302 & 506 of the Indian
Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on the alleged
date and time of occurrence, this petitioner and other accused
persons surrounded the informant and other persons. It is further
alleged that the accused persons fired at the informant and other
persons due to which they sustained injuries and, thereafter, the
accused persons fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-11-2023. Petitioner



bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, Subham Raj, and the same has no evidentiary value. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Petitioner has no concern with the alleged occurrence. Charge-sheet has been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 15-03-2024, passed in Cr. Misc. No. 19018 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet being submitted and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of
Court below/concerned Court in connection with Chandi P.S.
Case No. 265 of 2023.

(Rudra Prakash Mishra, J)

Raj kishore/-

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