

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30903 of 2024

Arising Out of PS. Case No.-254 Year-2022 Thana- MALSALAMI District- Patna

Vinod Rai @ Vinod Kumar @ Karu, aged about 32 years, Son of Suresh Rai
@ Suresh Ray, Resident of Village- Rikabganj, P.S- Malsalami, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Mishra, Advocate
For the Opposite Party : Mr.Murli Dhar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Malsalami P.S. Case No. 254 of 2022 dated 07.05.2022
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 307, 504, 506, 120B of the I.P.C. and Section 27
of the Arms Act.

3. As per the prosecution case, the petitioner and the
co-accused persons alongwith 50 unknown persons holding
lathi, danda and iron rod came to the house of Vijendra Kumar
and started assaulting him. In the meantime, the petitioner fired
on the *panjra* of Kundan Kumar and when Ajit Kumar
(informant) came to rescue, the petitioner also fired on his left



hand, causing injury.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that nothing has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted against the petitioner. The injured was examined by the private hospital after a delay of one month. The doctor has found the injury on non-vital part of body of the injured. The other co-accused has been granted bail by a Bench of this Court vide Cr. Misc. No. 50773 of 2023 under order dated 17.08.2023. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 14.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Patna City in connection with Malsalami P.S. Case No. 254 of 2022 with further condition:-



(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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