

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31413 of 2024

Arising Out of PS. Case No.-176 Year-2022 Thana- VAISHALI District- Vaishali

Devendra Ray Son Of Late Jai Ray Village -Salempur PS -Lalganj District
-Vaishali Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 323, 307, 302 and 427/34 of the Indian Penal Code.

3. As per allegation in the FIR, several accused persons including the petitioner sitting in scorio, dashed the motorcycle on which informant's brother and Radha Mohan Kumar were riding, fell down. When the informant went there for helping his injured brother then accused Vijay Rai, Ajay Rai and Vinay Rai came out of the scorio and started to assault the informant. It is further alleged that later on Upendra Kumar Rai died.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He is not named in this FIR rather his name surfaced during the course of investigation.



It is a case of road accident. Petitioner is a poor driver with full family liability and sole bread earner. Similarly situated other accused person, namely, Ajay Ray has already been enlarged on bail by this Court vide order dated 7.8.2023 passed in Cr. Misc. No. 15943 of 2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 15.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge**, if not framed, on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 176 of 2022.

(Sunil Kumar Panwar, J)

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