

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31437 of 2024

Arising Out of PS. Case No.-287 Year-2023 Thana- RAGHOPUR District- Vaishali

Karu Rai Son Of Late Dashrath Rai @ Late Padarth Rai Resident Of Village-
Ibrahimabad, Ps- Raghobpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Ms. Renu Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 21-05-2024 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Raghobpur PS. Case No.-287 of 2023, registered for the offences punishable under Sections 147, 148, 341, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case as emerges from the FIR is that when the informant had sown seeds of wheat in his field, the co-accused persons came and started abusing and firing from their pistols. Thereafter, other co-accused persons including the Petitioner came armed with deadly weapons and started destroying the ridge and abusing and threatening the informant.



4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the present criminal case has been filed by the Informant on account of land dispute between the Informant and Accused, Sohan Rai. Moreover, the Petitioner has no concern with the land dispute between the parties and even allegation against the Petitioner is trifle in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case in which he is on bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of Ld. J.M., Ist Class, Vaishali, Hajipur, in connection with Raghopur PS. Case No.-287 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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