

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55248 of 2023

Arising Out of PS. Case No.-43 Year-2015 Thana- PANDARAK District- Patna

Hemant Rai @ Hemansh Rai @ Himanshu Rai, Son Of Late Raj Kumar Rai
@ Late Ramchandra Rai, Resident Of Village-Chamtha Gop Tola, P.S.-
Bachhwara, District-Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 30-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 147, 148, 149, 307,
436, 427 of the Indian Penal Code and Section 27 of
Arms Act.

Prosecution case in nutshell is that petitioner
along with other co-accused persons, variously armed,
started firing upon informant's brother and due to this,
out of fear, he hid in a hut. It is further alleged that
petitioner set fire in the hut and resulting into burning of



food grains kept there. When the informant and his brother started fleeing from there, all the accused persons made indiscriminate firing upon the informant's brother. Due to this he sustained fire arm injury in his thigh and informant sustained fire arm injury in his left arm.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to previous enmity. No human being has sustained any burn injury due to setting the hut on fire. Nothing incriminating has been recovered from the conscious possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 19.10.2022. Several co-accused persons have been granted bail by Co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Pandarak P.S. Case No. 43 of 2015 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge I, Barh, Patna.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

