

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50817 of 2024

Arising Out of PS. Case No.-191 Year-1996 Thana- SAHPUR District- Patna

Subhash Rai Son of Late Badri Rai Resident of village - Hetanpur, P.S.-
Shahpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Adv

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

3 19-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Shahpur P.S. Case No. 191 of 1996 registered for the offences punishable u/s 147, 148, 149, 307, 341, 323, 379 of the Indian Penal Code.

3. As per the prosecution case, on 12.06.1996 the informant was returning after completing his farming. In the meantime, the petitioner and the co-accused persons surrounded the informant and started assaulting him with lathi and danda. It is further alleged that the co-accused *Badri Rai and Sheo Bachan Rai* assaulted the informant on his head and the petitioner and the co-accused *Suraj Rai* also started assaulting



the informant with fist and rifle. The co-accused *Suraj Rai* snatched the hand watch of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner had already been granted bail by the concerned court below in the year of 1996 but due to *non-pairvi* in the case by his Advocate, the bail bond of the petitioner was cancelled on 28.04.2000. It is further submitted that the petitioner shall be physically present in the court in future and shall co-operate the trial. It is a case of first misuse of privilege of bail. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.04.2024.

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 and the allegation levelled against the petitioner 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 learned Court concerned,



Patna in connection with Shahpur P.S. Case No. 191 of 1996,
with a condition/s:-

(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 bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Jyoti/-

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

