

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62978 of 2024

Arising Out of PS. Case No.-422 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

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Ram Pravesh Rai @ Ram Prawesh Rai Son of Late Gudari Rai Resident of
Village - Nayagaon, P.S. - Shyampur Bhatha, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Adv

For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

3 18-10-2024 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 Ahiyapur P.S. Case No. 422 of 2021 dated 30.06.2021 registered for the offences punishable u/s 302 and 120B read with Section 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, two unknown miscreants boarded on a motorcycle are alleged to have shot the informant's brother dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of



the petitioner has sprung up in the confessional statement of the co-accused Aayush Singh. Similar situated co-accused person has already been granted bail by this court vide order dated 07.07.2023 passed in Cr. Misc. No. 36668 of 2023. It is further submitted that on the alleged date of occurrence, the petitioner was in judicial custody. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 17.05.2024.

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 nature of 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, Muzaffarpur in connection with Ahiyapur P.S. Case No. 422 of 2021 with the conditions :-

(i). One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(ii). 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, his



bail bonds are liable to be cancelled.

(iii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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