

Arising Out of PS. Case No.-313 Year-2022 Thana- RAGHOPUR District- 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 : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

## ORAL ORDER

2      09-05-2025      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with Raghopur (Rustampur O.P.) P.S. Case No. 313 of 2022, instituted for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons have assaulted the cousin brother of the informant by means of lathi, farsa and sword. It is further alleged that co-accused, Mukesh Rai, has fired upon informant's father as a result of which he succumbed to the said injury.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not the main assailant of the deceased. There is general and omnibus allegation attributed against the petitioner. Specific allegation of firing has been attributed against co-accused, namely, Mukesh Rai. The petitioner is in custody since 10.12.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.12.2023 passed in Cr. Misc. No. 81036 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court  
below/concerned Court in connection with Raghopur  
(Rustampur O.P.) P.S. Case No. 313 of 2022.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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