

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70308 of 2024

Arising Out of PS. Case No.-126 Year-2019 Thana- RAGHOPUR District- Vaishali

Sanjiv Rai @ Sanjeeb Rai Son of Dhuri Rai @ Dhurkheli Rai Resident of
Village - Sukumarpur, P.S. - Raghapur (Rustampur), District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pramod Kumar, Adv.
For the Opposite Party/s :	Mr. Umanath Mishra, APP
	Mr. Mahendra Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel for the informant.

2. The petitioner seeks bail in a case registered for offence under Sections 147, 148, 149, 341, 342, 323, 452, 326, 354, 307, 302, 201, 120(B), 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and has not participated in the alleged crime. Co-accused namely Dharmendra Rai @ Darmendra Kumar Yadav, Rama Rai @ Ramakant Rai and Sanjay Rai, carrying identical allegation to that of petitioner, have already been granted bail by coordinate Benches of this Court, vide order dated 21.10.2019 in Cr.Misc.



No. 14407/2020, order dated 09.11.2020 in Cr.Misc. No. 29892/2020 and order dated 24.02.2021 in Cr.Misc. No. 2616/2021 respectively. Petitioner is in custody since 15.05.2024.

4. However, learned counsel for the informant vehemently opposed the prayer for bail and submits that recently, bail petitions of two co-accused namely Santosh Rai @ Golu Rai and Ajay Rai have been rejected by a coordinate Bench of this Court, vide order dated 19.07.2024 passed in Cr.Misc. No. 51312/2024 and order dated 06.02.2025 passed in Cr.Misc. No. 74287/2024 and as such, bail petition of petitioner be also rejected.

5. Considering the fact that petitioner is in custody since 15.05.2024 and the fact that similarly situated co-accused persons have already been granted bail, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge – VII, Vaishali at Hajipur in connection with Sessions Trial No. 397 of 2023, arising out of Raghapur (Rustampur O.P.) P.S. Case No. 126 of 2019, with following conditions:

“(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court below,



(b) The petitioner shall fully cooperate with the trial of the case, failing which the Court below shall be at liberty to cancel the bail-bond of the petitioner, and

(c) The petitioner shall not leave the country without permission of the trial Court.”

(Prabhat Kumar Singh, J)

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