

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14205 of 2016

Arising Out of PS.Case No. -78 Year- 2013 Thana -TARIYANI CHOWK District- SHEOHAR

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Sunil Rai, S/o - Sri Ram Balak Rai, R/o Vill - Math Masauli, P.S. -
Tariyani, Distt. - Sheohar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 17-05-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 302 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other F.I.R. named
accused persons, being armed with rifle, gun and lathi, were
engaged in cutting Simal tree and when the informant and his
nephew forbade them then co-accused Ram Balak Rai gave order to
shoot whereupon the elder son of Ram Balak Rai (petitioner) after
taking rifle from the hand of Santosh Rai opened indiscriminate
firing upon the nephew of the informant with an intention to kill
him and again co-accused Subodh Rai also opened fire hitting the

chest of the nephew of the informant, who succumbed to the injury.

Submission is of false implication and that assailant is Subodh Rai, other co-accused Ram Balak Rai has been allowed bail and further Santosh Rai has been allowed pre-arrest bail and as such the petitioner also deserves sympathetic consideration as he is in custody for more than a year.

The learned A.P.P. opposes the prayer of bail by submitting that in further statement, the informant has stated the name of the petitioner that he also opened fire on deceased Raman Kumar and postmortem report also corroborates the allegation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and, accordingly, his such prayer stands rejected in connection with Tariyani P.S. Case No.78 of 2013 pending in the court of C.J.M., Sheohar.

Considering the detention of the petitioner, let the trial be expedited and concluded preferably within nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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