

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21655 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -DERNI District- SARAN

Hare Ram Rai @ Hare Ram Kumar Rai son of Rajeshwar Rai, resident of village- Narayanpur, P.S.- Garkha, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. R.B.Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in connection with Derni P.S. Case No.15 of 2016 registered under Section 307 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 37 of the Arms Act.

It is submitted by the learned counsel for the petitioner that from perusal of the FIR itself it would be evident that it was the informant who stopped the motorcycle of the petitioner and snatched its key and in retaliation the petitioner opened fire causing injury to the informant of the case.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner. He has submitted that though the action of the informant cannot be justified, the allegations made in

the FIR are truthful in nature. There is no justification for the petitioner to have possessed the illegal firearm and opened fire upon the informant.

Be that as it may, regard being had to the totality of the case, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer for bail is rejected.

However, in case, the trial of the petitioner is not concluded within six months from the date of framing of charges, he would be at liberty to renew his prayer for bail.

(Ashwani Kumar Singh, J)

Md.S./-

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