

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58163 of 2015

Arising Out of PS.Case No. -164 Year- 2014 Thana -AMNAUR District- SARAN

Manshi Rai, son of Sadhu Rai, resident of village Madhubani, Police Station- Amnour, District- Sara.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 27-07-2016 Let the supplementary filed on behalf of the petitioner be kept on record.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Amnour P.S. Case No.164 of 2014 registered under Sections 147, 148, 149, 307, 302 and 120(B) of the Indian Penal Code besides Section 27 of the Arms Act and Sections 16(1)a/18 of the Unlawful Activities Act, 1967, pending in the court of Sri D.K. Tiwari, Judicial Magistrate, First Class, Saran at Chapra.

Learned counsel appearing on behalf of the petitioner submits that earlier the prayer for bail of the petitioner was rejected vide order dated 11.08.2015 passed in Criminal Misc. No.14167 of

2015 on merit by a Bench of this Court. The petitioner is in jail custody since 22.12.2014. It has further been submitted that the co-accused Jaleshwar Rai, who is also named in the F.I.R. and was the member of the mob and was chasing the deceased has already been granted anticipatory bail by the learned 9th Additional Sessions Judge, Chapra, vide order dated 04.04.2015 passed in A.B.P. No.454 of 2015 taking into consideration the fact that at the time of occurrence, he was in jail custody. As such, the prosecution story appears to become doubtful.

On going through the F.I.R., it appears that the F.I.R. has been lodged against the seven named accused including the petitioner and 7-8 unknown in which there is specific allegation against the petitioner, the co-accused Vikash Rai and Aman Rai to shot fire at the deceased whereas the allegation against the other co-accused is only to chase the informant.

The prayer for bail of the petitioner has already been rejected by a Bench of this Court earlier on merit. As such, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for bail is again rejected.

(Rajendra Kumar Mishra, J)

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