

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50890 of 2018

Arising Out of PS.Case No. -130 Year- 2018 Thana -DIGHA District- PATNA

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Lalu Rai @ Lallu Rai, Son of Dwarika Rai, Resident of Village- Digha,
Patepul, Police Station- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under
Sections- 302, 120(B)/34 of the Indian Penal Code and 27 of the
Arms Act.

The prosecution case, in brief, is that in course of going
Digha Haat for purchasing the vegetable, father of the petitioner
was shot dead by the accused persons.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 11-04-2018 and there is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in this case. There is
admitted land dispute. General and omnibus allegation has been
made. No specific injury has been attributed against the petitioner.
In course of investigation, a person namely, Ravi Dom was



apprehended. In paragraph-62 of the case diary, the confessional statement of the said Ravi Dom was recorded, in which, he narrated a different story.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R. The informant is an eye witness to the alleged occurrence. Two named accused persons including the petitioner made indiscriminate firing upon the deceased, which led to death of the deceased. As per the postmortem report, there are eight wounds of entry, caused by fire-arms. The postmortem report also supports the allegations made in the FIR. The other witness in paragraph-8 has supported the prosecution case.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Digba P.S. Case No. 130 of 2018 is rejected.

The court below is directed to take all necessary steps to expedite the trial of the petitioner.

(Sudhir Singh, J)

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