

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42892 of 2019

Arising Out of PS. Case No.-120 Year-2018 Thana- RAGHOPUR District- Vaishali

RAJESHWAR RAI S/o Late Yugal Rai R/o village- Chandpura, P.S.-
Raghopur, Distirct- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anshuman

For the Opposite Party/s : Mr. R.P.S. Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 24-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with
Raghopur P.S. Case No. 120 of 2018 registered under sections
341, 323, 324, 326, 307/34 of the I.P.C. pending in the Court of
Sessions Judge, Vaishali.

Submission of learned counsel for the petitioner is
that petitioner is innocent and has falsely been implicated in the
present case due to land dispute. Further submission is that
petitioner has no criminal antecedent and he is in custody since
30.11.2018.

Learned A.P.P. appearing on behalf of the State
opposed the prayer of the petitioner by contending that
petitioner is named in the F.I.R. There is direct allegation in the



F.I.R. that the petitioner fired at the neck of the husband of the informant with intention to kill him, as a result of which, he fell down. In course of investigation, the witnesses have also supported the version of the prosecution.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

However, liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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