

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55803 of 2019

Arising Out of PS. Case No.-68 Year-2018 Thana- CHAORI District- Bhojpur

BHOLA RAI @ NARENDRA RAI Son of Mohan Rai @ Ramyash Rai
Resident of Village- Dullamchak, P.S.- Chouri, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 11-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 09.05.2019 in connection with Chouri P.S. Case No. 68/2018 for the alleged offences under Sections 307, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute between the parties . There is inordinate delay of 16 days in lodging the FIR on 20.07.2018 for the alleged occurrence of 04.07.2018. Other co-accused Mohan Rai @ Ramyas Rai and Santosh Rai have been granted anticipatory bail by this Court in Cr. Misc. No. 14142 of 2019. The petitioner is accused in six prior cases due to land dispute with one Gopali Rai and Jairam Ram, in some of which final form has been submitted while in others the petitioner is on bail.

4. Learned APP assisted by learned counsel for the informant appears and has been heard. Learned APP refers to injury report in the case diary to submit that the victim has



suffered gun shot injury, which corroborates the accusation against the petitioner. Learned counsel for the informant submits that the delay in lodging the FIR was on account of his having been hospitalized and loss of speech owing to gun shot injury in the neck region. It is further submitted that in two out of six cases in which the petitioner is accused, allegations has been made under Section 307 of the Indian Penal Code which clearly shows that the petitioner is making repeated attempts on the life of the informant's side.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The petition stands dismissed,

(Vikash Jain, J)

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