

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14219 of 2020**

Arising Out of PS. Case No.-273 Year-2019 Thana- AURAI District- Muzaffarpur

Ram Pravin Rai @ Ram Pravin Kumar @ Kanhiya, asged about 29 years,
Gender – Male, Son of Munshi Rai, Resident of Village-Sundar Kholi, P.S.-
Aurai, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 08-09-2020 Heard the parties through the virtual court proceeding.

The petitioner apprehends his arrest in connection with Aurai P.S. Case No. 273 of 2019 registered for the offences punishable under Sections 341, 323, 447, 448, 307, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that on 04.11.2019, the co-villager namely Diwakar Jha, Ram Pravin Rai @ Kanhaiya (petitioner), Ranjit Sah, Ankit Kumar came at the house of the informant and started indiscriminate firing and the informant any how fled away froml house and thereafter, the accused persons learnt that t he persons to whom they have come to kill have fled away from the house and thereafter after firing 3 to 4 round more they went away and also alleged that there is an old



enmity and due to which they want to kill the informant and also alleged that earlier also the informant has lodged a case for robbing of motorcycle on the point of weapon and they are accused in many more cases.

Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and he has falsely been implicated in the present case. He further submits that even as per the first information report admittedly neither the informant nor his family members have received injury in any manner. He further submits that even as per the first information report, four accused persons including the petitioner allegedly made indiscriminate firing at the house of the informant and there is one seizure list appended along with the certified copy of the first information report which goes to show that there is a recovery of one live cartridge from middle school Sundar Khauli and this also goes to show that the present case is out and out a false case because there was no recovery of empty vade. He further submits that the petitioner has falsely been implicated in the present case due to dirty village politics and previous enmity. Bona-fide land dispute is going on between accused and informant which is obvious from the contents of the F.I.R.



Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Sub-Judge XIV-cum-Additional Chief Judicial Magistrate-XIII, Muzaffarpur in connection with Aurai P.S. Case No. 273 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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