

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18770 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- RAGHOPUR District- Vaishali

MANTU RAI Son of Sri Nemdhari Rai Resident of Village - Rushtampur,
Tinpairiya (Saidabad), P.S.- Raghapur (Rustampur O.P.), Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-07-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in **Raghapur P.S. Case No. 83 of 2019**, registered for the offence punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that while the informant and his brother were returning after having feast, on the way, the accused persons including this petitioner started abusing them and this petitioner is alleged to have fired upon the informant, causing injury on his stomach.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. No incriminating article has been recovered from possession of this petitioner. Other co-accused Namdhari Rai has been granted bail by a co-ordinate bench this court vide order dated 27.11.2019, passed in Cr.Misc.No.69805/2019 (annexure 2). Petitioner is in custody since 23.08.2019, having clean antecedent.

Learned APP vehemently opposed the prayer for bail. He submits that there is direct and specific allegation against the petitioner that he fired upon the informant who got seriously injured. Case of the petitioner is not on similar footing to that of co-accused Namdhari Rai.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner.

(Prabhat Kumar Singh, J)

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