

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17927 of 2020**

Arising Out of PS. Case No.-114 Year-2019 Thana- RIGA District- Sitamarhi

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MOHAN BAITHA S/o Raj Mangal Baitha R/o village- Bhoraha Tole Brita,
P.S.- Riga, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP Incharge

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 26-08-2020 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP-in-Charge for the State.

The petitioner in the present case is seeking regular bail in connection with Riga P.S. Case No. 114 of 2019 registered for the offence punishable under Section 27 of the Arms Act.

Learned counsel for the petitioner submits that although the petitioner has got 14 cases on his head as stated in paragraph '3' of the present application but so far as the present case is concerned, it is only under Section 27 of Arms Act, therefore the petitioner having remained in custody since 27.09.2019 be released on bail.

Mr. Akhileshwar Dayal, learned APP Incharge for the State appears as Mr. Shailendra Kumar, learned APP is not present.

It is submitted that in course of investigation it has come that in the night of 12.04.2019 this petitioner first went near the house of Punit Rai and started firing indiscriminately. Thereafter he



went to the second place of occurrence near the house of Raj Kishore Prasad Yadav about 10:00-11:00 P.M. where he entered in the campus of said Raj Kishore Yadav and started firing. Thereafter he went to third place near the house of Dipendra Yadav. In the case diary all the witnesses have made specific allegations that this petitioner who has huge criminal antecedent is engaged in liquor business and is involved in threatening and creating fear for the public at large.

Having regard to the facts and circumstances of the case, on noticing that the petitioner is though said to be on bail in all the 14 cases as stated in paragraph '3' of the application, but all such cases are of heinous and serious nature and perhaps he has got emboldened indulged in the alleged occurrence, the allegations are that of firing entering into the house of some of the witnesses, in the totality of facts and circumstances considering the criminal antecedent and that he is indulging in creating fear to the persons, this Court is not inclined to enlarge him on bail at this stage. Petitioner may renew his prayer for bail after couple of material witnesses are examined in course of trial.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

