

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23800 of 2020

Arising Out of PS. Case No.-84 Year-2019 Thana- District- Patna

Sanjay Rai @ Sanjay Mahto, aged about 40 years, Gender - Male, S/o Rajo Rai, resident of Village - Simaria-Ghat, Bind Toli, P.S.-Chakiya, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Senior Advocate
For the Opposite Party/s : Mr. Md. Arif , APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 11-11-2020 Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioner and Mr. Md. Arif, learned A.P.P. appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Maranchi P.S. Case No. 84 of 2019 registered for the offence under Section 302, 147, 148, 149 of the I.P.C. and Section 27 of the Arms Act.

The allegation as per the First Information Report is that one Tuntun Bind arrived at the house of the informant and took away his son towards the river Ganga. It has further been alleged that other six persons who were already present there with fire arms started indiscriminate firing leading to the death of the son of the informant.



Learned senior counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and has falsely been implicated on the basis of the fact that there is confessional statement of the petitioner and other accused. Learned counsel further submits that there is no eye witness of the incident and only material which has come is that the petitioner along with other accused persons were seen running away from the place of occurrence. Learned counsel further submits that similarly situated accused person has been granted bail by this Court in Cr. Misc. No. 19020 of 2020.

On the other hand, learned counsel for the State referring to the case diary submits that petitioner is named in the F.I.R. and all the accused persons with pre-meditated mind called the son of the informant and the accused persons fired upon the victim in which he received two injuries; one on the chest and another in the head and died due to the bullet injuries. Learned counsel further submits that petitioner has also got criminal antecedent and altogether five cases are pending against the petitioner and the co- accused who has been granted bail by this Court has got no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the materials available on record and



the criminal antecedent of the petitioner, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the same is rejected.

However, the petitioner may renew his prayer for regular bail after six months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J)

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