

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18516 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- BACHHWARA District- Begusarai

Laxman Rai, Son of Late Nemo Rai, R/o Village Raja Chowk, P.S. Vidyapati
Nagar, District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Daya Shankar Prasad Sinha, Advocate

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in Bachhwara P.S. Case No.190 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, 302, 429, 435, 506 and 447 of the Indian Penal Code as well as under Section 27 of the Arms Act.

The allegation against the petitioner is that he along with other co-accused persons came on a Bolero vehicle having armed with firearms to the house of the informant. Vijay Rai and Pankaj Rai tried to kidnap the informant with a view to kill him. The local people, namely, Munni Devi, Sujeet Kumar Raut, Shiv Kumar Raut and other 10-20 persons tried to save the informant then Vijay Rai, Pankaj Rai, Anil Rai and Laxman Rai started firing



on Munni Devi, Sujeet Raut and Shiv Kumar Raut. It is alleged that Vijay Rai and Laxman Rai both fired on Munni Devi resulting in her death on the spot. Thereafter all accused persons started indiscriminate firing on the local people and lit fire in the house of the informant and fled away.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation made in the FIR against the petitioner is false, concocted and after thought. The petitioner is in custody since 21.09.2020 and he has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned Additional Public Prosecutor for the State vehemently opposed the prayer for bail of the petitioner.

Considering the fact that there is specific allegation of firing against the petitioner on the deceased, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

However, the learned trial court is directed to expedite the trial of the petitioner.

(Anjani Kumar Sharan, J.)

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