

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19913 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- MUSRIGHRARI District- Samastipur

RAVI RAY @ RAVI RAI Son of Ram Vinod Ray Resident of Vill- Hasanpur
Jitwarpur, P.S.- Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-10-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Musrigharari
P.S. Case No.84 of 2020, registered for the offence punishable
under Sections 341, 307, 326, 302, 120B of the Indian Penal
Code and section 27 of the Arms Act.

The prosecution case in short is that due to previous
enmity, the petitioner along with other named accused persons
came in the village of informant on 3-4 motorcycles. Allegation
against the petitioner is that he and three other accused persons
fired from pistol at informant's son namely Aman Kumar @
Lucky, due to which he died on the spot.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence



as alleged in the FIR. No offence in the manner as alleged has ever taken place. He has been falsely implicated in this case merely on suspicion. It is submitted that the entire allegations against the petitioner are false, frivolous, baseless and concocted. There is no direct or indirect evidence against the petitioner. It is further submitted that at the alleged time of occurrence, petitioner was at his home which shall be proved from the CCTV footage installed at the door of the petitioner. No incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has nine criminal antecedent and has been languishing in custody since 12.10.2020.

Learned APP for the State opposed the prayer for bail by submitting that petitioner is named in the FIR and there is specific allegation against him of firing bullet from the pistol upon the informant's son. As per the *post mortem* report, five bullet injuries were found on the body of the deceased. It is further submitted that the prayer for bail of the similarly situated co-accused named Munna Kumar @ Munna Rai @ Munna Ray has been rejected by a co-ordinate Bench of this Court vide order dated 04.03.2021 passed in Cr. Misc. No.37001 of 2020.

Considering the facts and circumstances of this case,



since there is specific allegation against the petitioner, he has 9 criminal antecedent and that the similarly situated co-accused has not been granted bail, I am not inclined to grant bail to the petitioner named above.

Accordingly the prayer for bail made through the instant bail application is hereby dismissed.

(Anjani Kumar Sharan, J)

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