

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23940 of 2020

Arising Out of PS. Case No.-209 Year-2019 Thana- BACHHWARA District- Begusarai

MANJAI RAI Son of Late Shaho Rai @ Saho Ray Resident of Village -
Chamtha, Laxman Tole, Ward no. 14, P.S.- Bachhwara, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Advocate
For the informant	:	Mr. Awadhesh Kumar, Advocate
For the State	:	Mr. Suresh Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 15-01-2021 Heard Mr. Sandip Kumar Gautam, learned counsel
for the petitioner, Mr. Awadhesh Kumar, learned counsel for the
informant and Mr. Suresh Prasad Singh, learned Additional
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Bachhwara P.S. Case No. 209 of 2019 registered for the
offences punishable under Sections 147, 148, 149, 302, 307,
504, 506 of the Indian Penal Code 1860 and Section 27 of the
Arms Act.

The allegation as per the First Information Report is
that the petitioner along with other co-accused persons resorted
to indiscriminate firing, due to which, three persons died and
two persons received bullet injuries.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute and there is no specific allegation against the petitioner. Learned counsel further submits that the allegation against the petitioner is general and omnibus in nature. Learned counsel also submits that the son of the deceased Shila Devi, who died in the alleged firing made by the petitioner and others, has lodged another First Information Report bearing Bachhwara P.S. Case No. 210 of 2019 against the informant alleging therein that he has fired upon his mother, on account of which, she died. Learned counsel next submits that there is specific allegation of firing upon the deceased against the informant.

On the other hand, learned counsel for the informant as well as the State vehemently opposed the prayer for bail and submits that due to firing made by the petitioner, three persons have died and two persons got injured. Learned counsels further submits that the bail application of similarly situated co-accused Heera Rai @ Heera @ Hira Rai has been rejected by a co-ordinate Bench of this Court in Cr. Misc. 19617 of 2020 and, thus, the petitioner does not deserve bail.

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



that prayer for regular bail of similarly situated co-accused person has been rejected by a co-ordinate Bench of this Court, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

It is expected that the lower court will try to conclude the trial as early as possible.

(Anil Kumar Sinha, J)

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