

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23561 of 2020

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

Ram Prasad Rai, son of Bateshwar Rai @ Baateshwar Ray, resident of village
Chamtha Nambar, P.S. Bachhwara, District Begusarai. Petitioner.
Versus

The State of Bihar. Opposite Party.

WITH
CRIMINAL MISCELLANEOUS No. 28729 of 2020

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

1. Shekhar Rai.
2. Opee Rai.
3. Suraj Rai.

All son of Batoran Rai, all resident of village Chamtha Nambar, P.S.
Bachhwara, District Begusarai.

... .. Petitioners.

Versus

The State of Bihar. Opposite Party.

Appearance :

(In CRIMINAL MISCELLANEOUS No. 23561 of 2020)

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party/s : Mrs. Madhuri Lata, APP

(In CRIMINAL MISCELLANEOUS No. 28729 of 2020)

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Opposite Party/s : Mrs. Madhuri Lata, APP

For the Informant (in both the cases) : Mr. Awadhesh Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 03-03-2021 As both these applications have cropped up from the

same police station case number, hence they are being heard

together and disposed of by this common order.

Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

The petitioners seek bail in a case registered for the
offence punishable under Sections 147, 148, 149, 302, 307, 504



& 506 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioners along with other co-accused persons are said to have resorted indiscriminate firing due to which, three persons died and two persons received bullet injury.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in the case due to dirty village politics. No over act has been attributed to the petitioners. The allegations levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner-Ram Prasad Rai is languishing in custody since 07.11.2019, whereas petitioner nos.1, 2 &3 of Cr. Misc. No.28729 of 2020 are languishing in custody since 09.11.2019, 23.11.2019 & 10.11.2019 respectively.

Per contra, learned counsel for the informant and learned APP for the State vehemently opposing the prayer for bail submitted that looking into the nature of the allegations the petitioners do not deserve bail. Learned counsel for the informant further submitted that the prayer for bail of the similarly situated co-accused persons have been rejected by different co-ordinate Bench of this Court.



Having heard learned counsel for the parties and taking into consideration the materials available on record as also the fact that prayer for regular bail of similarly situated co-accused has been rejected by two different co-ordinate Bench of this Court, I am not inclined to grant regular bail to the petitioners.

Accordingly, both these applications are dismissed.

(Anjani Kumar Sharan, J)

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