

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30690 of 2020

Arising Out of PS. Case No.-526 Year-2016 Thana- BIHTA District- Patna

Uma Shankar Rai @ Sipahi Rai aged about 47 years Son Of Late Jairam Rai
@ Jiram Rai Resident Of Village- Saurmarwa, P.S.- Maner, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Babita Kumari, Advocate

For the Opposite Party : Mr.Amarendra Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 31-08-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Bihta Police Station Case No. 526 fo 2016 registered for the offences punishable under section 302 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner along with other accused persons abducted the uncle of the informant and killed him.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. During course of investigation, petitioner had filed Cr.WJC No.1338/2016 in which a counter affidavit, sworn by Additional Superintendent of Police, Danapur was filed on the orders of this court in which it has been stated that the petitioner was not present at the place of occurrence which is evident from the CCTV footage as well as mobile tower location. However, it has further been stated in the counter affidavit that the petitioner



was one of the conspirators. He further submits that the petitioner has got criminal antecedent as mentioned in paragraph 3 of the bail petition, but most of them have been filed after filing of this case. Petitioner is in custody since 14.3.2020.

Learned counsel for the State opposes the prayer for bail. He submits that from the from perusal of the materials available on the record, it appears that the petitioner is the kingpin in the instant case. He is the habitual criminal as several criminal antecedent cases are pending against him.

In view of the nature and gravity of allegation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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