

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35508 of 2020

Arising Out of PS. Case No.-181 Year-2019 Thana- DARAUNDA District- Siwan

Rabindra Rai @ Ravindra Kumar Ray @ Ravindra Kumar aged about 33 years Son of Late Prabhunath Ray Resident of Village - Hathopur, P.S.- Daraunda, District - Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kr.Thakur, Advocate Mr.Kumar Ravish, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the informant	:	Mr. Bijay Prakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-02-2021 Heard learned counsel for the petitioner as well as learned counsel for the State.

The petitioner seeks bail in Daraunda Police Station Case No. 181 of 2019 registered for the offences punishable under sections 302/34 of the IPC and section 27 of the Arms Act.

As per the prosecution case, petitioner is the sole assailant and is alleged to have fired upon the husband of the informant as a result of which he died.

Learned counsel for the petitioner submits that the informant is not eye witness and the petitioner is the neighbourer and because of old land dispute he has falsely been



implicated in this case. Even the inquest report is cryptic and there is no reference to any blood mark on the place of occurrence. Learned counsel further submits that after the alleged occurrence, informant had stated in the Media that she did not see as to who fired on her husband. Petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition and he is in custody since 7.11.2019.

Learned counsel for the State and the informant opposed the prayer for bail. They submit that the informant as well as other witnesses have supported the prosecution case in their statements recorded in paragraphs 10, 11, 12 and 13 of the case. In the post mortem report, the doctor has found fire arms injury on the body of the deceased.

As there is specific allegation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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