

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12848 of 2022

Arising Out of PS. Case No.-130 Year-2018 Thana- DIGHA District- Patna

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Lalu Rai @ Lallu Rai, aged about 62 years, Gender-Male, Son of Late Dwarika Rai, Resident of Village - Digha Pati Pul, Police Station - Digha, District - Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ramakant Sharma, Sr. Advocate and Mr. Rajesh Kumar, Advocate

For the Opposite Party : Mr. Rajiv Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-08-2022 Heard learned senior counsel for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

Earlier bail applications of the petitioner were rejected vide Cr. Misc. No. 50890 of 2018 under order dated 18.09.2018, Cr. Misc. No. 9790 of 2019 under order dated 03.07.2019 and Cr. Misc. No. 35215 of 2020 under order dated 24.03.2021, annexed as Annexure-1 series to the present application taking into account that two named accused persons including the petitioner had made indiscriminate firing upon the deceased, which led to death of the deceased. As per the postmortem



report, there are eight wounds of entry, caused by firearms. The postmortem report also supports the allegations made in the F.I.R.

This is fourth attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the present stage of the case. It has been reported that out of 16 prosecution witnesses, 10 prosecution witnesses have already been examined and rest six prosecution witnesses are yet to be examined and the trial is likely to be concluded within a period of nine months.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 523 of 2018, arising out of Digha P.S. Case No. 130 of 2018, pending in the court of learned Additional Sessions Judge-XVIII, Patna.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of eight months from the date of receipt/production of a copy of this order.

The District Magistrate and the Senior Superintendent of Police, Patna, are also directed to ensure that the prosecution witnesses are produced on the date fixed in the court below so



that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate and the Senior Superintendent of Police, Patna.

(Sudhir Singh, J)

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