

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28043 of 2020

Arising Out of PS. Case No.-200 Year-2019 Thana- MANER District- Patna

Bihari Rai Son of Late Nand Kishore Rai Resident of Village - Nilkanth Tola
Goraiya Sthan, PS. Maner, District - Patna (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uma Shankar Sharma, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

9 10-03-2022 This is an application for regular bail in crime No. 200 of 2019 registered with Maner Police Station for the offences punishable under sections 147, 148, 149, 341, 323, 302 and 120(B) of the Indian Penal Code as well as 27 of the Arms Act.

Learned counsel for the applicant argued that the present FIR is a counter-blast to the FIR lodged by Bablu @ Bablu Kumar who happens to be son of accused/applicant in the instant case. It is argued that the FIR lodged by son of the applicant shows that members of the prosecuting party committed criminal trespass and assaulted first informant Bablu as well as his family members by means of sword and other weapons.

The learned APP opposed the application.



The subject FIR is lodged by Ashok Rai. allegations levelled by Ashok Rai against the present applicant are to the effect that on 20.4.2019, the applicant along with his associates had committed murder of his 13 years old son Ramun Kumar. The first informant has categorically stated that it was the present applicant who fired a bullet at Ramun Kumar causing death of Ramun Kumar.

As the eye-witness is assigning the role of committing murder of 13 years old son of the first informant by firing a bullet by the present applicant, no case for grant of bail is made out. The application is therefore rejected, though, the other co-accused is extended with similar relief by the coordinate bench of this Court.

(A. M. Badar, J)

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