

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42850 of 2021**

Arising Out of PS. Case No.-317 Year-2019 Thana- RIVILGANJ District- Saran

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PAMPI RAI @ BABLU RAI @ NANHU RAI S/o Mogal Rai R/O Village  
Chhota Brahmapur, Satgharwa, P.S. - Bhagwan Bazar, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

4      22-08-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Rivilganj P.S. Case No. 317 of 2019 registered for the offences  
punishable under Sections 302, 34 of the Indian Penal Code.

As per prosecution case, on 15.10.2019 at about  
01:00 PM when informant's father was returning to Chapra, all  
F.I.R. named accused stopped his father and caught him and  
started abusing the informant's father and the present petitioner  
Pampi Rai alias Bablu Rai alias Nanhu Rai fired upon the  
informant's father as a result of which the victim sustained  
injury and died during the course of treatment.



Learned counsel for the petitioner submits that petitioner is in custody since 04.06.2021. Petitioner bears criminal antecedent of five cases in which four cases are between the same parties. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that there is no eye witness of the alleged occurrence. Allegation against the petitioner is that he alongwith co-accused persons stopped informant's father and petitioner fired on him, which hit him in left waist and he died in way to Patna. F.I.R. is false and concocted and no such occurrence took place and petitioner has falsely been implicated in the case only on basis of suspicion. There is no any motive alleged in whole F.I.R. Co-accused Umesh Rai has already been granted bail vide Cr. Misc. No. 11895 of 2020 by a co-ordinate bench of this Court.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposes the prayer for bail of the petitioner as there is a direct allegation against the present petitioner who made firing as a result of which the victim sustained injury and died during the way to Hospital.

Considering the facts and circumstances of the case as well as there is a direct allegation as alleged in the F.I.R.



coupled with injury report as mentioned in postmortem report, I am not inclined to grant bail to the present petitioner, accordingly, the bail of the present petitioner is rejected, however, learned court below is directed to expedite the trial.

**(Alok Kumar Pandey, J)**

amitkr/-

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