

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44004 of 2021

Arising Out of PS. Case No.-157 Year-2016 Thana- MAHUA District- Vaishali

NARESH RAI Son of Late Mahendra Rai R/o Village - Hasanpur Bhadwas,
P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307, 147, 148 and 149 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, thirteen named accused persons including the petitioner herein are said to have come variously armed and as a result of indiscriminate firing by accused Ajay Rai the son of the informant died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No overt act has been alleged against him. His case stands on a similar footing to that of his brother who has been enlarged on bail. The petitioner undertakes to cooperate in the trial and to



abide by all the conditions which may be laid by this Court for his release on bail.

The application for bail is opposed by learned A.P.P. for the State who submits that in a case of the year 2016, the petitioner absconded for 5 years till he was taken into custody on 17.5.2021.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation and the petitioner having absconded for 5 years, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to renew his prayer for bail after six months in case there is no progress in the trial in the learned trial Court.

(Partha Sarthy, J)

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