

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50657 of 2021

Arising Out of PS. Case No.-121 Year-2021 Thana- SAHPUR District- Patna

=====

MUNNA KUMAR @ MUNNA RAI @ MUNNA RAY S/O SHAMBHU RAI
R/o village- Sikandarpur, Nitish Aahar, P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-03-2022 Heard learned counsel for the parties.

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

As per the prosecution case, while talk was going on between the parties for settling the dispute between them, it is stated that the petitioner and one Sujit Kumar started to fire as a result of which the brother of the informant Raj Kumar Rai died on the spot while Manish Kumar died in course of treatment in the PMCH.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the



FIR. There is a case and counter case between the parties. Referring to the case lodged by the petitioner himself, it is stated that as a result of firing the petitioner was himself seriously injured having sustained gunshot injuries in his arms. The petitioner is in custody since 4.4.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the FIR of the case and counter case, the fact that an occurrence took place stands admitted as also the fact about the presence of the petitioner therein and the two deceased namely Raj Kumar Rai and Manish Kumar who have been named by the petitioner as accused in the FIR registered by him.

In view of the allegations in the FIR wherein allegations of firing is made against the petitioner and Sujit Kumar leading to death of Raj Kumar Rai and Manish Kumar, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

