

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81196 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- MANER District- Patna

SUPAN RAI S/o Late Munshi Rai R/o village- Dost Nagar, Lodipur, P.S.-
Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 10-03-2022 Heard the learned counsel for the petitioner as well as the
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Maner P.S. Case No. 40/2019 for the offence punishable under
Sections 147, 148, 149, 341, 323, 307, 335, 427, 120B, 504 and 506
of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation, a large number of persons including 18
F.I.R. named accused persons committed arson and ransacked the
entire house of the informant.

The allegation against the present petitioner is that he
along with 4-5 unknown persons opened fire and in course of that
firing, one Laljee Kumar became injured.

The learned counsel for the petitioner has submitted that
no burnt material was found at the spot. He has further submitted that



there is a counter case, in which the son of the present petitioner, Murari Rai, is informant and in that counter case, the son of the present petitioner has sustained fire arm injury.

The case diary along with injury report of Laljee Kumar was called for. The discharge ticket of P.M.C.H. has been annexed with the case diary, which shows that Laljee Kumar has sustained fire arm injury on his person. There is specific allegation against the present petitioner that he along with other accused persons opened fire, due to which, Laljee Kumar sustained injuries.

The petitioner has mentioned his criminal antecedent in Paragraph No.3 of this petition, which shows that altogether three criminal cases are pending against the present petitioner, to which the learned counsel for the petitioner has submitted that these three cases were lodged at the instance of informant's side.

Considering the fact that the petitioner is assailant and the injured Laljee Kumar has sustained fire arm injury, in my view, it is not a fit case for anticipatory bail and accordingly, it is rejected.

(Nawneet Kumar Pandey , J)

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