

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35456 of 2022

Arising Out of PS. Case No.-190 Year-2020 Thana- BACHHWARA District- Begusarai

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VIJAY RAI SON OF LATE SUJAN RAI R/O- VILL- GOPALPUR, P.S.-
BACHHWARA, DIST.-BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-01-2023 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 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner and one Laxman Rai are said to have shot at Munni Devi resulting in her death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is an unexplained delay in lodging of the F.I.R. The allegations are general and omnibus in nature. The petitioner has been falsely implicated in the case as a result of previous dispute which would be evident from Annexure-2 to the petition. The



witnesses in course of investigation specially in paragraph nos.28, 29 and 30 have not supported the prosecution case. In the post-mortem report, only one firearm injury has been found. The petitioner is in custody since 26.2.2021.

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

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner of having fired along with one another on Munni Devi resulting in her death, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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