

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40166 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- MOKAMAH District- Patna

-
1. BIPIN RAI Son of Late Tirpit Rai @ Late Tripit Rai
 2. Manoj Rai Son of Dipu Rai @ Diplal Rai
Both Resident of village - Mekra Naya Tola, P.S. - Mokama, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar,Advocate
For the Opposite Party/s : Mr.Anil Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-08-2023 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

2. The petitioners seek bail in connection with Mokama P.S.Case No.368 of 2022, S.Tr.No.423 of 2023, F.I.R. dated 25.11.2023 registered for the offence punishable under Section 448,326,307/34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioners is that they have fired upon the victim.

4. Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in



the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR and there is no eye witness of the alleged occurrence and merely on the basis of suspicion and previous admitted and dispute, the petitioners have falsely been implicated in the present case.

5. Learned counsel for the informant and learned APP for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioners and submits that there is specific and direct allegation against the petitioners that they have fired upon the victim and they also refer the report of the learned Trial Court dated 04.08.2023 which reveals that the charge has been framed against both the petitioners on 29.05.2023 and out of seven chargesheet witnesses, four witnesses have already been examined.

6. In view of the report of the learned Trial Court, I am not inclined to enlarge the petitioners on bail in connection with Mokama P.S.Case No.368 of 2022, S.Tr.No.423 of 2023 pending in the court of learned A.D.J.-IV, Barh, Patna.



7. Prayer is refused.

8. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

