

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45196 of 2022**

Arising Out of PS. Case No.-164 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

=====

RAJESH RAI SON OF RAM PRIT RAI R/O VILLAGE- PAHARPUR
(SONBARSA), P.S.- TARIYANI, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar
For the Opposite Party/s : Mr.Satya Nand Shukla

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 120(B), 326, 307 of the Indian
Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, while informant's father
was going to his garage, petitioner and one unknown came on a
motorcycle and petitioner shot at informant's father as a result
of which he fell down unconsciously.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
previous enmity. Petitioner was kept in police custody for two
days. While he was in police custody, he was compelled to put his



signature on blank paper by I.O. to which later on converted into self confessional statement but it is the fact that petitioner has never made any confessional statement before the I.O. of this case. Petitioner is in custody since 9.3.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that there is direct allegation of firing against the petitioner. During investigation, several prosecution witnesses have supported the case. As per impugned order, injury report suggests gun powder smell (para-44) of the cse diary Cause of injury is firearm due to which informant's father sustained grievous injury.

Having heard the learned counsel for the parties and considering that direct allegation of firing is attributed to the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial as early as possible.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

