

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52960 of 2023

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

MUNNA KUMAR @ MUNNA RAI @ MUNNA RAY Son of Shambhu Rai
Resident of village - Sikandarpur Nitish Aahar, P.S. - Shahpur, Distt. - Patna
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Pandey, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-09-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sahpur P.S. Case No.121 of 2021 registered under sections 302, 147, 148 and 149 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and one another are said to have resorted to firing, as a result of which two persons died.

4. The earlier application for bail of the petitioner was rejected vide order dated 24.3.2022 passed in Cr. Misc. no. 50657 of 2021 and order dated 11.1.2023 passed in Cr. Misc. no. 65814 of 2022.

5. Learned counsel for the petitioner submits that the allegations are general and ominous in nature. The petitioner has been falsely implicated in the case for oblique reasons.



Inspite of the petitioner being in custody since 4.4.2021 and not having any criminal antecedent, the trial is not progressing. Only one witness has been examined on behalf of the prosecution and that was long ago. The petitioner undertakes to cooperate in the trial.

6. The prayer for bail is opposed by learned A.P.P. for the State.

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 18.8.2023 from the Incharge Additional District and Sessions Judge, V, Danapur, one witness has been examined out of the six chargesheet witness.

8. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner who along with one another are said to have resorted firing, as a result of which two persons died in the occurrence, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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