

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59028 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- RAJPUR District- Buxar

Munnu Rai @ Shasi Prakash Rai @ Mannu Rai @ Munu Rai Son Of Late Bal
Gopal Rai Resident Of Village- And Po - Sikraul, Ps- Rajpur, Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 120B/307 of the IPC and Section 25(1-B)A, 26, 35 and 27 of Arms Act.

As per allegation in the F.I.R., on the alleged date of occurrence the informant was cooking batti chokha, a bike along with three riders namely, Bitu Choudhary, Manoj Rai and Munna Rai (petitioner) came there and petitioner opened fire from pistol upon him, but he narrowly escaped and they fled away taking the advantage of darkness after leaving bike. Thereafter, Ajit Singh and Vinay Kr. Rai @ Goni Rai made firing targeting the house of the informant. Further an information came that three accused persons were going outside



from the village in Wagon R Car and that car was apprehended by the villagers from which two persons were succeeded to fled away but driver Lallu @ Rudra Prakash Rai has been caught. Police came there and searched the vehicle from which one country made pistol and two live cartridges were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is case and counter case between the parties. It is further submitted that no one was injured in this case. No any incriminating article has been recovered from the conscious possession of the petitioner. The alleged car does not belong to the petitioner or his family members from which illegal arms were recovered. General and omnibus allegation has been levelled against him. He is languishing in judicial custody since 04.07.2023.

Learned APP appearing for the state, learned counsel for the informant have opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajpur P.S. Case No. 128 of



2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar.

(Sunil Kumar Panwar, J)

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