

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8496 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- MANIYARI District- Muzaffarpur

Pravin Kumar @ Bulbul Rai S/o Sri Guru Charan Rai R/o Vill - Madhopur
Susta, P.S. - Maniyari, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Divya Bharti, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.859 of 2023 arising out of Maniyari P.S. Case No. 206 of 2023, lodged on 04.07.2023 under Sections 302, 34 of the Indian Penal Code read with section 27 of the Arms Act.

3. As per the prosecution case, the FIR has been lodged against the present petitioner and other unknown accused persons. It has been alleged in the FIR that the informant's husband was associated with the business of sale and purchase of land and in continuous contact with the present petitioner and it has been alleged that father of the petitioner took the informant's husband with him and subsequently, left her husband in injured condition near the house of Ajay Kumar



Tiwary. During course of visiting to the hospital, informant's husband disclosed the name of the petitioner and then become unconscious.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that there is no eye-witness of the occurrence. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are three criminal cases pending against him in which in two cases, he is on bail and in one case, the petitioner is acquitted. The petitioner is in custody since 20.07.2023 in the present case. Counsel also submits that one co-accused has been granted bail by this Court *vide* order dated 09.04.2024 passed in Cr. Misc. No. 7053 of 2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the co-accused to whom bail has been granted is not named in the FIR, whereas, the present petitioner's name has been disclosed by the informant's husband (deceased) prior to his death. Counsel further submits that in the rejection order, there is indication in the case diary that at the house of the petitioner, one fired cartridge bearing KF 7.65 was recovered and there is one witness as per para 125 of the case diary who has seen the present petitioner with deceased



in the evening at about 6 p.m.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Sessions Trial No.859 of 2023 arising out of Maniyari P.S. Case No. 206 of 2023, pending before the learned Additional District & Sessions Judge-VIII, Muzaffarpur is **hereby rejected** at present.

(Dr. Anshuman, J.)

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