

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10782 of 2024

Arising Out of PS. Case No.-128 Year-2022 Thana- MAHARAJGANJ District- Siwan

Rahul Singh S/O Vijendra Singh R/O Village- Rukandipur, Ps.- Daraunda,
Distt. Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate
For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.204 of 2023, arising out of Maharajganj P.S. Case No.128 of 2022, lodged on 04.05.2022, under Sections 307/326/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against one named and one unknown accused persons against whom there is allegation of firing by pistol on the right shoulder of the informant is there.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Counsel submits that allegation of firing is there but the story of the informant is not acceptable as on the same day he has disclosed in the statement before the news channel, in which he has accepted that he has not seen anybody that who fired. Counsel submits that antecedent of the petitioner is not clean. There are eight cases pending against the petitioner and only due to this reason his named has been inserted in the present case. The petitioner is in custody since 26.11.2022.

5. Learned counsel for the State opposes the prayer for bail and submits that there is direct allegation in the FIR and antecedent of the petitioner is not clean. There are in total eight criminal cases pending against him and almost all cases are relating to arms act with other offences including offence under Section 302 of the Indian Penal Code.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not sure about the fact whether the charge has been framed or not.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.



However, the petitioner would be at liberty to renew the prayer
for bail two months after framing of the charge.

(Dr. Anshuman, J)

Mkr./-

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

