

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13406 of 2024

Arising Out of PS. Case No.-80 Year-2017 Thana- PANDARAK District- Patna

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Hemant Rai @ Hemansh Rai Son of Late Raj Kumar Rai, R/o village -
Chamtha Gop Tola, P.S. - Bachhwara, Distt. - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 20-09-2024 Heard Mr. Manoj Kumar Pandey, the learned

counsel for the petitioner and Ms. Rina Sinha, the learned

Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since

25.05.2022, in connection with Pandarak P.S. Case No. 80 of

2017, FIR dated 16.09.2017, registered for the offences

punishable under Sections 147, 148, 149, 353 and 307 of the

Indian Penal Code and under Sections 25(1-b)a, 26 and 27 of

the Arms Act.

3. Earlier the petitioner has moved before this

Hon'ble Court in Cr. Misc. No. 60211 of 2022, which was

rejected vide order dated 13.04.2023.

4. According to the prosecution case, after receiving

confidential information that veteran criminal Ram Janam



Yadav and his associates are planning to commit serious crime, the informant along with police personnel reached at the alleged place, and upon seeing the police, the criminals started firing due to which one constable got injured. It is further alleged that the criminals after firing around seventy-five rounds, escaped through a river.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that as per allegation in the FIR, more than 150 rounds of firing was made from both the sides at the place of occurrence and petitioner has been made accused in the present case merely on the ground that petitioner carries fifteen criminal cases other than the present.

6. Vide order dated 02.08.2024, a report was called for with regard to the stage of the trial and report dated 06.08.2024 of the learned trial Court reveals that presently the case running for the appearance of the co-accused persons and till date charges have not been framed as yet.

7. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for



bail of the petitioner and submits that petitioner carries fifteen cases of serious nature other than the present.

8. Considering the aforesaid facts and circumstances and the report of the learned trial Court, I am **not** inclined to enlarge the petitioner on bail in connection with Pandarak P.S. Case No. 80 of 2017, pending in the Court of learned Additional Chief Judicial Magistrate-I, Barh, Patna.

9. Prayer is refused.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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