

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35249 of 2024

Arising Out of PS. Case No.-709 Year-2023 Thana- MANER District- Patna

Dinesh Ray @ Dinesh Rai Son of Jawahar Ray @ Javahir Ray Resident of
village - Ajaybganj, Ajaybgang, P.S.- Bhagwan Bazar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Advocate Mr. Raushan Raj, Advocate Ms. Manisha Khushi, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 27-09-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Maner P.S. Case No.709 of 2023 registered for the offence under Sections 147, 148, 149, 447, 307, 386, 379, 504, 506 and 120B of the Indian Penal Code and Section 25(1-B)a, 26, 35 and 27 of the Arms Act.

3. As per allegation in the FIR, some miscreants including this petitioner were engaged in illegal sand mining and when police reached there they started firing, where, a 12 bore black colour semi gun, 111 live cartridge, etc. have been recovered from the possession of the petitioner.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that nothing has been recovered from the possession of this petitioner and he has no concern with the alleged recovery of firearm and live cartridges. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.6619 of 2024 on 17.02.2024, Cr. Misc. No.15387 of 2024 on 12.03.2024, Cr. Misc. No.16557 of 2024 on 23.04.2024, Cr. Misc. No.18078 of 2024 on 14.03.2024. It is further submitted that petitioner is in custody since 02.10.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the submissions, as made above and nature of allegation and as there is recovery of a 12 bore black colour semi gun, 111 live cartridges, etc. from the possession of the petitioner, but there is no recovery from the possession of the co-accused persons, who have been granted bail by this Court. So, I am not inclined to grant bail to the petitioner, at present.



7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. Learned trial court is directed to expedite the trial as far as possible.

(Ramesh Chand Malviya, J)

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