

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58457 of 2024

Arising Out of PS. Case No.-61 Year-2003 Thana- RAJAPAKAR District- Vaishali

Chandradeep Rai Son of Late Ram Lagan Rai R/O VILL-SEKHPURA, PS-
RAJAPAKAR, DISTRICT-VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Rajapakar P.S. Case No. 61 of 2003 for the offence punishable under sections 302, 341, 323, 452, 379 and 34 of the Indian Penal Code and Section 27 of the Arms Act lodged on 23.07.2003 by the informant, Ravindra Kumar Rai.

3. As per the prosecution story, the informant alleged in the FIR that in the afternoon, when his elder brother Sachindra Kumar Rai was in the shop while he was at home, the named accused persons who are the neighbour stormed the shop and forcibly withdrew Rs. 5,000/-. When his brother raised alarm, not only they pointed rifle towards him, when his elder brother reached there, also started assaulting him. Specific allegation against this petitioner is of opening fire which hit the backside of the brother which pierced out. Ranjit Rai and Sunil Rai also alleged to have opened fire. His brother being injured was rushed to the Hajipur Hospital but was declared dead. This led to the FIR.



4. Learned counsel for the petitioner submits that though specific allegation has been made against this petitioner, the investigation and the supervision says a different story.

5. Learned APP opposes the prayer for bail and pointed out that not only specific allegation is against the petitioner that he opened fire which resulted into his brother getting injured and declared dead in the Hospital but also the fact remains that this occurrence took place in the year 2003 whereas, the petitioner chose to come into judicial custody only two decades later in the year 2023.

6. Considering the aforesaid facts on record as also the specific allegation against the petitioner coupled with the fact that for two decades despite being named accused, he avoided judicial custody seriously hampering the completion of trial, no relief can be granted to the petitioner.

7. The present bail application stands rejected.

8. Since the matter is of the year 2003, it is expected that the learned Trial Court shall take the trial to its logical conclusion at an earliest.

(Rajiv Roy, J)

Adnan/-

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