

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54301 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Bishnu Ray @ Bishnu Pandey, Son of Sudarshan Ray, R/o Village - Nirbhay
Dihara, P.S.- Sikarhata, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Adv.

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-09-2024 Heard Mrs. Vaishanvi Singh, learned counsel for the
petitioner and learned Additional Public Prosecutor for the
State.

2. The petitioner seeks regular bail, who is in custody
in connection with Charpokhri P.S. Case No. 85 of 2023
registered for the offences punishable under Sections 323, 325,
341, 307, 379, 504, 147, 148 and 149 of the Indian Penal Code
and Section 27 of the Arms Act.

3. This is the second attempt made on behalf of the
petitioner, as earlier the prayer for bail of the petitioner was
turned down by this Court in Cr. Misc. No. 69675 of 2023 vide
order dated 15.01.2024, taking into account the specific nature
of accusation of causing firing over the informant resulting into
grievous injury.



4. Learned counsel for the petitioner contended that since on the last occasion, the prayer for bail of the petitioner was rejected on merit and, as such, she is not making any submission on the merit of the case, but this fact cannot be ignored that there is serious discrepancies in the allegation and the injury report. Moreover, despite the fact that the petitioner has been incarcerated since 17.05.2023, till date even the case is not committed to the Court of Sessions and, as such, there is no likelihood of conclusion of the trial in near future. The counter version of the present case also suggests that it is the petitioner, who has sustained injury at the hands of the persons of the informant side. The petitioner undertakes that he will fully cooperate in the proceeding of the Court.

5. Learned counsel for the State opposed the bail application and submitted that the petitioner appears to be habitual offender having nine criminal antecedents carrying over his head, apart from accusation of causing firearm injury to the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the criminal antecedent of the petitioner as also the specific accusation, this Court is not acceded to the prayer of the petitioner for grant of bail.



Accordingly, his prayer for bail is rejected.

7. However, the petitioner shall be at liberty to renew his prayer for bail after framing of charge.

(Harish Kumar, J)

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