

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58801 of 2024

Arising Out of PS. Case No.-85 Year-2010 Thana- RAGHOPUR District- Vaishali

Ramnath Rai S/o- Yogendra Rai Village- Jafrabad Tok Ps- Raghopur,
Rustampur OP Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Lovekush Kumar, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-10-2024 Heard learned counsels for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, the informant has alleged that in the night, while his elder brother was sleeping, all the eight persons named in the F.I.R., including this petitioner, came and started indiscriminate firing from their rifle on his elder brother, as a result of which, his brother died on the spot.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case. From bare perusal of the F.I.R. it is apparent that omnibus



allegations have been levelled against all the eight F.I.R. named accused persons. There is no specific accusation of overt act against this petitioner. Petitioner is in custody since 23.02.2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that he along with other accused persons fired upon elder brother of informant, as a result of which he died.

6. Considering the aforesaid facts and circumstances of the case and nature of accusation, the prayer for grant bail of to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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