

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66239 of 2024

Arising Out of PS. Case No.-190 Year-2021 Thana- MAKER District- Saran

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Bharat Rai S/o Hari Ray @ Harihar Ray R/o Village- Pirmaker Dihi,
Pirmaker, P.S.- Maker, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2024 1. Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The present petition is by way of third attempt at the behest of the petitioner for grant of regular bail, in connection with Maker P.S. Case No.190 of 2021, instituted for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code, inasmuch as the petitions filed by the petitioner for grant of bail have all stood rejected by this Court earlier.

3. The case of the prosecution in brief is that on 08.10.2021 at about 10 in the morning, one Anshu Kumar @ Doman Ray had called the son of the informant on his mobile phone and had told him to come near the Shiv temple, whereafter, the son of the informant along with others had gone



to the alleged place of occurrence, where the petitioner and his other accomplice were present. It is further alleged that an altercation had taken place amongst the parties and then the petitioner had taken out a pistol from his waist and fired gun shots on the son of the informant namely Dibesh Kumar, resulting in his death.

4. The learned counsel for the petitioner submits that the petitioner is languishing in custody since 10.01.2022, hence a sympathetic view be taken and the petitioner be granted bail.

5. Per contra, the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has submitted that in the earlier order of this Court dated 04.01.2023, the entire aspect of the matter has been considered, wherein it has been prima facie observed that the materials available on record show that the son of the informant has been killed by the petitioner, who had fired gun shots on him, hence no sympathetic view should be taken by this Court, in the present case.

6. Having regard to the facts and circumstances of the case and taking into account the materials available on record, this Court finds that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant



of regular bail, specially in view of the fact that the petitioner is prima facie involved in killing the son of the informant, hence I do not find any merit in the present petition, thus the present petition stands dismissed, being bereft of any merit.

(Mohit Kumar Shah, J)

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