

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68443 of 2024

Arising Out of PS. Case No.-274 Year-2024 Thana- MANER District- Patna

Murari Rai @ Krishan Murari Singh Son of Late Chinta Rai R/o Village-
Brahamchari Pokhara, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-10-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner seeks regular bail in connection with
Maner P.S. Case No. 274 of 2024, lodged on 29.04.2024, under
Sections 302, 120B, 34 of the I.P.C. and Section 27 of the Arms
Act.

3. As per the prosecution, the FIR has been lodged
against 10 named accused persons including the present
petitioner. The allegation in the FIR is that all the accused
persons in connivance with each other have killed the Barepapa
(uncle of the informant) by gun shot.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the fardbeyan attached with the FIR is in two parts.
In first part, there is allegation against five named accused



persons that they have committed the offence of firing by which his barepapa died. Counsel submits that in the second part of the FIR, names of further five accused persons have been added in which it has been disclosed that earlier also there were two attacks for killing was made due to which cases are pending and name of the both F.I.Rs has also been inserted. Counsel further submits that in the present FIR there is no allegation against the present petitioner except that he is a conspirator in this case. Counsel also submits that antecedent of the petitioner is not clean. There are in total 10 criminal cases pending against him in which he is on bail. Counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. Counsel submits that from the content of the FIR it becomes crystal clear that the petitioner is itself in judicial custody, particularly, on the date of alleged occurrence, as such, there is no material against the petitioner.

5. Learned Counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean, there are 10 criminal cases pending against the petitioner.

6. Learned Counsel for the informant, Mr. Suraj Kumar Tiwari, submits that he has received vakalatnama today itself and filed online. He seeks permission to file the hard copy



of said vakalatnama.

7. It is directed to accept the hard copy of the said vakalatnama in the Court as the assertion made by the Counsel for the informant that he has already filed the soft copy.

8. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner is not innocent due to the reason that father of informant filed a criminal case bearing Maner P.S. Case No. 679 of 2022 is against the petitioner under Sections 341, 323, 307, 504, 506/34 of the I.P.C. Thereafter, the accused has killed the informant's father due to which Maner P.S. Case No. 435 of 2023 was lodged in which he has been granted bail on 26.04.2023 by this Hon'ble Court and as soon as he came outside then he has killed the informant's uncle (barepapa) for which the present FIR has been lodged bearing Maner P.S. Case No. 274 of 2024.

9. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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