

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83277 of 2023

Arising Out of PS. Case No.-282 Year-2020 Thana- CHIRAIYA District- East Champaran

Pundeo Rai @ Punya Deo Rai S/O Ram Janam Rai R/O Village- Khodha,
Hassuwaha Tola, P.S- Chiraiya, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-01-2024 1. Heard learned counsel for the petitioner and
learned APP for the State

2. The petitioner has preferred this application for
grant of regular bail in connection with Chiraiya P.S. Case no.
282 of 2020 registered under sections 302, 307, 341, 323, 324,
325, 504, 506 and 34 of the Indian Penal Code and section 27 of
the Arms Act.

3. As per the prosecution case, the informant states
that while she along with her husband and other family
members were working in the agriculture field, the eight named
accused persons came there variously armed and on firing
resorted to by this petitioner, the pistol shot hit her husband in
his chest and he died.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case because of land



dispute between the parties. The informant is not an eye witness to the occurrence and the manner of occurrence is other than what has been narrated in the F.I.R. The father of the petitioner, on an earlier occasion, had filed C.W.J.C No. 2892 of 2016 against the family members of the informant for removing encroachment on the road which has led to false implication of the petitioner in this case. The petitioner is in custody since 28.4.2023 and charge-sheet has been submitted in the case. He has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R wherein specific allegation has been levelled against this petitioner his having fired with his pistol hitting the husband of the informant in his chest leading to his death, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. The learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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