

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11031 of 2025

Arising Out of PS. Case No.-747 Year-2019 Thana- BUXAR District- Buxar

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Bulli Rai @ Bhulli Rai @ Prem Prakash Rai @ Buloo Rai S/O Late Ravindra Rai Resident of Village- Koerpurva, P.S- Buxar Town, Distt.- Buxar, At present residing at Flat No. 135, Saket Nagar Colony, Nariyar, P.S- Lanka, Distt.- Varanasi (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. P.N.Shahi, Sr. Advocate Mr. Ravi Kumar, Advocate
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Nitee Ranjan, Advocate Mr. Anil Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 4-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Buxar (Town) P.S. Case no.747 of 2019 registered under sections 302, 307, 120B, 147, 148, 149 and 448 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that on 21.10.2019 at about 5 am, the accused Sarangdhar Rai along with 10-15 others demolished the wall of the informant, hurled abuses and went away. It is further stated that on 22.10.2019 when friends and relatives of the informant had gathered at his place on the occasion of his daughter's birthday,



the ten named accused persons including the petitioner herein, came variously armed and resorted to indiscriminate firing. As a result of the firing resorted to by the petitioner, Raghwendra Pratap Singh sustained firearm injury and died in course of treatment. Three other persons also sustained gunshot injuries.

4. Learned Senior Counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the case because of land dispute between the parties for which Title Suit no. 401 of 2012 is pending in the learned Court below. It was as a result of the protest lodged by Rishikesh Rai that the accused resorted to firing in which three persons were injured. Rishikesh Rai registered an FIR being Boxer (Town) P.S. Case no. 748 of 2019 wherein the informant of the present case along with others is a named accused. It is further submitted that information was given to the police. On seeing the police personnel, the accused started to flee but a number of them were apprehended and firearms recovered. Further, the uncle of the petitioner, namely Sarangdhar Rai has also filed a complaint case bearing Complaint Case no. 1200C of 2012 against the informant of the present case wherein cognizance has been taken. It is submitted that final report was submitted in the instant case case not sending up the petitioner for trial, however,



it is stated that cognizance was taken by the learned Court below, on perusal of the case diary, differing with the final report. The petitioner has no criminal antecedent. He is in custody since 25.1.2025 and undertakes to cooperate in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is named in the FIR as a person who along with others resorted to indiscriminate firing. The shot fired by the petitioner hit Raghwendra Pratap Singh as a result of which he died. It is further submitted that the postmortem report of Raghwendra Pratap Singh supports the prosecution case as the cause of death is stated to be hemorrhage and shock as a result of the injury caused by firearm. It is further submitted that though final report was submitted not sending up the petitioner for trial, however, the learned Court below took cognizance in the case differing with the final report on the basis of material that has transpired in course of investigation.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR wherein he is described as the assailant of the deceased Raghwendra Pratap Singh together with the material that has



transpired in course of investigation and the postmortem examination report supporting the prosecution case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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