

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4690 of 2025

Arising Out of PS. Case No.-999 Year-2022 Thana- BIHTA District- Patna

Lal Mohan @ Lal Mohan Rai S/O Sadhu Rai Village- Vyapur, Tata Colony,
P.S- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 07-02-2025 Learned counsel for the petitioner has filed hard copy
of the Supplementary affidavit in the Court, which is accepted.

2. Heard learned counsel for the petitioner and
learned A.P.P for the State.

3. The petitioner seeks bail in connection with
Bihta P.S. Case No. 999 of 2022 dated 29.09.2022
registered for the offence punishable under Sections
147,148,149, 307, 379,120(B),160, 216 of the Indian Penal
Code and Section 27 of the Arms Act and in which Section
302 of I.P.C was added later on.

4. The prosecution case, in short, is that on the
alleged date of occurrence, at Sone Diara near Kawariya
Ghat, firing was going on between two groups to assert



supremacy over sand mining. When the informant reached the place of occurrence, all of them fled away. Local *chowkidar* and villagers named all the F.I.R. named accused persons. In cross firing, four persons were killed.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that F.I.R. has been lodged against twenty named accused persons and 25-30 unknown accused persons. It is submitted that the petitioner is not named in the F.I.R. The petitioner's name has come in the confessional statement of co-accused Pankaj Kumar. It is also submitted that there is no eye witness to the occurrence. No incriminating articles have been recovered from the conscious possession of the petitioner. It is submitted that some accused persons named as well as unnamed in the F.I.R. have been granted bail by this Court as well as by other co-ordinate Benches of this Court. It is further submitted that Dinesh Ray and Jai Veeru Rai @ Rakesh Rai have been granted bail *vide* Criminal Miscellaneous No. 34695 of 2024 and 38001 of 2024 respectively by this Court. Lastly, it has been submitted that



the petitioner is in custody since 23.08.2024, having one criminal case against him and charge-sheet has been submitted in the case.

6. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Danapur, Patna in connection with Bihta P.S. Case No. 999 of 2022.

(Khatim Reza, J)

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