

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3708 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Bijdhari District- East Champaran

Jiyalal Ray Son of Dasei Rai Village- Sundarapur, P.S.- Bijdhari, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Kant Singh, Adv.
For the Opposite Party/s	:	Mr. Rajendra Singh Shastri, APP
For the Informant	:	Mr. Abhishek Kumar Srivastava, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

9 29-08-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with Bijdhari
P.S. Case No. 21 of 2024 instituted for the offences under
Sections 103(1)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and
Section 27 of the Arms Act.

3. As per prosecution case, the husband of the
Informant was shot dead by the accused persons including the
petitioner in front of the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



due to local village politics. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 20.09.2024 without any rhymes or reason. Learned counsel for the petitioner further submits that the co-accused namely Hasendra Yadav @ Hasindra Rai has already been granted bail by this Court vide order dated 07.04.2025 passed in Cr. Misc. No. 660 of 2025.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. There is specific allegation against the accused persons including the petitioner of firing upon the husband of the Informant. He further submits that the petitioner has confessed his guilt in his confessional statement. Learned counsel for the petitioner further submits that the witness Rajnish Kumar, who is alleged to be the eye-witness to the alleged occurrence, in para-13 of the case diary, supports the prosecution case. In Para-14, the witness Sakshi also supports the prosecution case. Postmortem report also corroborates the



allegation made in the F.I.R. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the accused persons including the petitioner for offence under Sections 103(1)/61(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as alleged against the petitioner as also taking into account the materials available in the case diary, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial.

(Rudra Prakash Mishra, J)

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