

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3874 of 2025

Arising Out of PS. Case No.-527 Year-2024 Thana- MANER District- Patna

Mohan Rai S/o Sukan Rai R/o Lodipur, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.

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

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

ORAL ORDER

7 07-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. Pursuant to the earlier order of this Court dated 08.05.2025, the Investigating Officer of the Maner P.S. Case No. 527 of 2024 has filed explanation by way of show-cause which is accepted and is kept on record. Paragraph No.11 whereof reads as follows:-

“11. That, the order of the Hon’ble Court has been fulfilled by the deponent as the deponent has filed a petition for adding section 103(1) of BNS, 2023 to the learned trial court on 05.07.2025 which the deponent ought to have taken steps for adding section 103(1) B.N.S. before that, however due to human error and Bonafide mistake it has not been filed earlier before the learned trial court.”

3. The petitioner seeks bail in connection with Maner



P.S. Case No. 527 of 2024 instituted for the offences under Sections 140(1), 109, 61(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

4. As per prosecution case, the accusation against the accused persons including the petitioner is to have killed the Informant's husband and disappeared his dead body.

5. 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 merely on the basis of suspicion. The petitioner has not committed any offence as alleged in the F.I.R. The Informant is not the eye-witness to the alleged occurrence. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedents and is languishing in judicial custody since 08.08.2024 without any rhymes or reason.



Charge-sheet has been submitted in this case.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maner P.S. Case No. 527 of 2024.

(Rudra Prakash Mishra, J)

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