

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5030 of 2025

Arising Out of PS. Case No.-305 Year-2023 Thana- AMNAUR District- Saran

Hari Rai Son of Dhara Rai @ Dhora Rai Resident of Village - Tarwar, P.S. -
Bheldi, District - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

4 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Amnaur
P.S. Case No. 305 of 2023 instituted for the offences under
Sections 363/234 of the IPC and later on Section 302 of the IPC
was added.

3. Prosecution case, in short, is that the informant's
father-in-law was kidnapped and murdered by the five FIR
named co-accused persons.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation after a lapse of about



four months on the basis of statement of the witnesses. Learned counsel further submitted that there is a delay of two days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that there is eye-witness to the occurrence. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific material has cropped up against the petitioner during investigation. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.08.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that as per the material available in the case diary, this petitioner has himself confessed his guilt and has specifically stated the manner in which he along with other accused persons committed the murder of the deceased. Learned APP further submitted that the post-mortem report also supports the manner in which the accused persons including the petitioner committed the brutal murder of the deceased. Police after investigation submitted charge-sheet under Sections 364, 120B, 302, 420, 467, 468, 471, 34 of the IPC. Learned APP



therefore, submits that petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case, there being ample material against the petitioner in the case diary supported by the medical evidence as also the offence being heinous in nature, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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