

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5897 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- MAHINDWARA District- Sitamarhi

Mukesh Rai Son of Radhamohan Rai @ Radhamohan Yadav @ Radhamohan Prasad Resident of Village- Salempur, P.S.- Rampur Hari, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Divya Bharti, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Mahindwara P.S. Case No. 77 of 2024 in a case registered for the offence punishable under Sections 386, 302 and 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution story, informant who is widow of the deceased, alleged that her husband was running a C.S.P. Centre and on the fateful day, the accused persons including this petitioner armed variously came and demanded money (extortion). Later, it is alleged that Manikant Rai, Rakesh Rai and Saroj Rai opened fire causing injury. Though he was taken to Maa Janki Hospital, Muzaffarpur, was declared dead.

4. Learned counsel for the petitioner submits that



specific accusation of firing is against co-accused Manikant Rai, Rakesh Rai and Saroj Rai and there is specific allegation of firing against petitioner. It is further submitted that similarly situated co-accused, namely, Sudhir Rai, has already been granted bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 10.02.2025 passed in Cr. Misc. No. 80301 of 2024. Petitioner is in custody since 23.10.2024. Petitioner has got five criminal antecedent in which he is on bail.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Sitamarhi in connection with Mahindwara P. S. Case No. 77 of 2024.

(Prabhat Kumar Singh, J)

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