

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11541 of 2025

Arising Out of PS. Case No.-449 Year-2022 Thana- MUNGER MUFFASIL District- Munger

Bana Rai Son of Late Sikandar Rai Resident of Village - Raghunathpur, P.S.-
Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Jha, Adv.
For the informant	:	Mr. Dr. Ramesh Kumar Singh, Adv.
		Mr. Rama Ishwar Chandra, Adv.
For the Opposite Party/s :		Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 449/2022 dated 15.12.2022 giving rise to Session Case No. 380/2024 registered for the offence punishable u/ss 302 and 201 read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 14.12.2022 at 3.30 P.M., when the informant along with his associates was irrigating wheat crops, the petitioner and the co-accused persons surrounded the informant's father and the petitioner



and the co-accused persons, Pandav Rai and Dhananjay Rai shot the informant's father dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged occurrence. There is no specific allegation of any overt act against the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 17.08.2023 passed in Cr. Misc. No. 49205/2023. Learned counsel has further submitted that from perusal of the Letter No. 43 dated 29.03.2025, it appears that the charge has not been framed and no witness has been examined as yet. The petitioner has four criminal antecedents out of which one case is related to similar nature of offence as stated in para 3 of the bail petition. The petitioner is in custody since 16.02.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the regular bail application of the petitioner was earlier rejected by this court *vide* order dated 29.08.2024 passed in Cr. Misc. No. 41238/2024. Learned counsel has further submitted that the specific allegation of firing is against the petitioner and co-accused persons. As



per the post-mortem report, the cause of death is haemorrhagic shock and injury to vital organ that's brain as a result of above mentioned injury caused by firearm.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Muffasil P.S. Case No. 449/2022 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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