

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.7647 of 2025

Arising Out of PS. Case No.-597 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Rohit Kumar S/O Late Shankar Ray @ Shankar Resident of village -  
Dighikala West, P.S- Sadar Hajipur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 8030 of 2025

Arising Out of PS. Case No.-597 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Munna Kumar Son of Shankar Ray R/O Village - Dighi Kala West, P.O.-  
Dighi Kala, P.S.- Sadar Hajipur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 7647 of 2025)  
For the Petitioner/s : Mr. Dharmveer  
For the State : Dr. Indihar Kumari, APP  
For the Informant : Mr. Vasant Vikas  
(In CRIMINAL MISCELLANEOUS No. 8030 of 2025)  
For the Petitioner/s : Mrs. Rina Sinha  
Mr. Dharendra Prasad Sinha  
For the State : Mr. Madhura Nand Jha, APP  
For the Informant : Mr. Vasant Vikas

**CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL**  
ORAL ORDER

3      08-05-2025                      Heard learned counsel for the petitioner and  
  
learned counsel for the State.

2. Since both the petitioners are herein praying for  
regular bail in connection with Hajipur Sadar P.S. Case No. 597  
of 2024 registered for the offence under Sections 103(1)/61(2)



(a) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act, both the petitions are being decided by this common order.

3. According to the case of prosecution, on 21.08.2024 a written complaint has been filed by the informant wherein it is alleged that on 20.08.2024 at about 07:45 P.M., two unknown persons came to the place of occurrence and fired upon the father of the informant, due to that he sustained injuries and subsequently he died. It is further alleged that at the time of incident, some other accused persons were also present. It is further mentioned in the written complaint that just before the death of Pankaj Rai, he named Angu @ Mayank, Badal Kumar and Navin Billa as assailant. On the basis of report made by the informant, the offence has been registered. During course of investigation on the basis of statement recorded by the Police of the witness Chandeshwar Rai, both the present applicants are taken in custody.

4. It is submitted by the learned counsel for the petitioner that both the petitioners are not named in the first information report. There is no any legal evidence available against them on record. They are implicated only on the basis of the statement of the witness Chandeshwar Rai. The statement of Chandewhar Rai is recorded under Section 161 Cr.P.C. after one



month of the alleged incident. He further submits that charge sheet has already been filed and the prosecution does not cite the Chandeshwar Rai as a prosecution witness, therefore, on these grounds, it is prayed that the petitioner may be granted benefit of bail.

5. Learned counsels for the State as well as the informant opposes the arguments raised by the counsel for the petitioners.

6. Considering the submissions made by the counsel for the petitioners and particular further considering the material collected by the prosecution, I am of the view that it is a case where both the petitioners should be granted benefit of bail.

7. Accordingly, the application is allowed.

8. Let both the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Vaishali at Hajipur in connection with Hajipur (Sadar) P.S. Case No. 597 of 2024.

**(Arvind Singh Chandel , J)**

shailendra/-

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