

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14097 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- MANER District- Patna

1. Ram Babu Rai @ Ram Babu Rayram Babu Ray S/o Late Ram Jasi Rai @ Ram Babu Rayram Babu Ray R/o Vill - Hira Tola, Sherpur, P.S- Maner, Distt.- Patna.
2. Chunmuniya Devi W/o Ram Babu Rai R/o vill - Hira Tola, Sherpur, P.S- Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jai Shankar Pathak, Adv.
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Shambhu Narayan Singh, Adv.
		Mr. Suraj Kumar Tiwari, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 11-04-2025 Heard Learned Counsel for the petitioners, Learned

A.P.P for the State *and* Learned Counsel for the Informant.

2. The petitioners are apprehending arrest in connection with Maner P.S. Case No.274 of 2024, for the offence punishable under Sections 302 and 34 of the IPC read with section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against 10 named accused persons including the petitioners with allegation that petitioner No.1 was order giver on whose direction, firing has been started due to which death has been caused to the informant's side.

4. Learned Counsel for the petitioners submits that the petitioner are innocent and have committed no offence. Counsel also submits that petitioner No.1 is aged about 72 years and



petitioner No.2 is his wife. He further submits that under deep rooted conspiracy, petitioners have been made accused in this case. He further submits that specific allegation is against petitioner No.1 who is order giver and against petitioner No.2, there is general and omnibus allegation.

5. Counsel further submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

6. Counsel further submits that petitioners' antecedent are not clean. There are 11 criminal cases pending against petitioner No.1 and 3 criminal cases pending against petitioner No.2 and in all cases, petitioners are on bail.

7. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that the regular bail of two co-accused persons have been rejected by this Hon'ble Court vide order dated 01.10.2024 passed in Cr. Misc. No.68443 of 2024 and vide order dated 22.01.2025 passed in Cr. Misc. No.558 of 2025.

8. Counsel further submits that it is true that the petitioner No.1 is an order giver and petitioner No.2 has been accused due to 3 criminal antecedent.

9. Learned APP for the State opposes the prayer for bail of the petitioners and submits that criminal antecedent of



the petitioners is not clean and this aspect may be taken into consideration.

10. In the present facts and circumstances of this case and the submissions made above, let the petitioner No.2, namely, Chunmuniya Devi, who is a lady aged about 65 years, be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-1st Class, Danapur in connection with Maner P.S. Case No.274 of 2024, subject to the following conditions as laid down under Section 438(2) of Cr.P.C.

11. So far as petitioner No.1, namely, Ram Babu Rai is concerned, this Court is not inclined to grant anticipatory bail to him. Therefore, the bail application of the petitioner No.1 is hereby refused.

(Dr. Anshuman, J.)

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