

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15188 of 2025

Arising Out of PS. Case No.-189 Year-2010 Thana- BIBHUTIPUR District- Samastipur

Radhe Roy @ Radhe Shayam Rai S/O Late Kushal Rai @ Kausal Rai @
Kaushal Rai Resident of Village- Kalyanpur Tola, Bishunpur, P.S.-
Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-03-2025 1. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner has renewed his prayer for bail in
connection with Bibhutipur Police Station Case no. 189 of 2010,
dated 22.07.2010, registered under section
341/323/326/307/302/34 of the Indian Penal Code.

3. This is the fourth attempt for bail on behalf of the
petitioner inasmuch as earlier the bail application of the
petitioner was rejected *vide* order dated 12.07.2024 passed in
Criminal Miscellaneous No. 23432 of 2024.

4. As per the prosecution story, on 11.07.2010, at
about 01:00 AM in the night, the petitioner, along with two
other co-accused persons, poured acid upon the head of the



father-deceased of the informant due to which informant's father sustained grievous injury and died in PMCH.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 21.01.2021 and the trial has not still concluded. The official witnesses are yet to be examined. This is the fourth attempt for grant of regular bail on behalf of the petitioner inasmuch as earlier the bail application of the petitioner was rejected thrice by this Court. While rejecting the bail application of the petitioner on last occasion *vide* order dated 12.07.2024, this Court granted liberty to the petitioner to renew his prayer for bail after six months, if the trial is not concluded. The trial is still going on and since 12.08.2024, despite summons and warrants, official witnesses are not appearing.

6. Regards being had to the submissions made by the parties and taking into consideration the long incarceration of petitioner for about four years, I am inclined to grant regular bail to the petitioner.

7. Let the petitioner, above named, 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 learned Additional District & Sessions Judge, Rosera,



Samastipur, in connection to the Bibhutipur Police Station Case
no. 189 of 2010.

8. This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

9. It is made clear that the petitioner shall also provide his active mobile number, along with active mobile numbers of two bailors, to the Court at the time of furnishing bail bond.

(Anil Kumar Sinha, J)

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