

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18296 of 2025

Arising Out of PS. Case No.-494 Year-2024 Thana- BIDUPUR District- Vaishali

Shyam Sundar Rai S/O Late Sobhit Rai R/O Village- Vishanpur Paltu, P.S-
Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv.

Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bidupur
P.S. Case No. 494 of 2024 instituted for the offences under
Sections 109, 123, 103(1), 61(2), 3(5) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of three persons by poisoning.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that neither any party was hosted in the



poultry farm of co-accused Rohit Kumar nor any food or drink was offered to the members of the prosecution party including the deceased in the present case. The petitioner has no concern with the alleged occurrence. He further submits that the police, in course of inspection of the place of occurrence, has not found any sign of party being hosted as alleged by the prosecution nor anything incriminating was recovered from there. The petitioner has one criminal antecedent in which he has been acquitted as has been stated in Para-3 of the present bail petition and is languishing in judicial custody since 22.12.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. Learned counsel for the State further submits that from the impugned order, it appears that the co-accused Rohit Kumar and Jitendra Kumar have confessed their guilt in their confessional statement as contained in Para-51 of the case diary in which both of them have named the petitioner of being involved in the alleged occurrence.

6. Learned counsel for the State again submits that the prayer for regular bail of the co-accused Nawal Ray has already



been rejected bail by a Co-ordinate Bench of this Court vide order dated 07.03.2025 passed in Cr. Misc. No. 13170 of 2025.

7. Having heard learned counsel for the parties as also considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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