

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17130 of 2025

Arising Out of PS. Case No.-208 Year-2022 Thana- DANAPUR District- Patna

Shankar Rai @ Shankar Yadav @ Vinay Rai @ Vinay Kumar, aged about 43 years (Male), Son of Chhathu Rai, R/o Mohalla- Dujrachak, P.S.- Budha Colony, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 09-07-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Danapur P.S. Case No. 208 of 2022 dated 28.03.2022 registered for the offences punishable under Sections 302, 120B read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, some unknown miscreants have killed the husband of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is not named in the F.I.R. and his name has surfaced in the present case only on the basis of the confessional statement of the co-



accused, namely, Ravi Gope @ Ravi Shankar which has been recorded before the police on 28.12.2023 after a lapse of one year and nine months which has got no evidentiary value in the eyes of law and except the confessional statement of the aforesaid co-accused, there is no other substantive evidence to suggest the implication of the petitioner in the present case. It is further submitted that the alleged occurrence took place on 28.03.2022 and prior to the present occurrence, the petitioner was in judicial custody in Budha Colony P.S. Case No. 188 of 2019 since 01.03.2022 and he was granted bail in Cr. Misc. No. 33392 of 2022 vide order dated 20.12.2022 by a Bench of the Hon'ble Patna High Court. The other similarly situated co-accused person, namely, Harsh @ Parbhat has already been granted bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 58364 of 2023 vide order dated 05.12.2023, annexed as Annexure-3 to the present bail petition. The petitioner has ten criminal antecedents and in all cases he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 18.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has further submitted that although the petitioner is not named in the F.I.R.



and his name has surfaced in the present case on the basis of the confessional statement of the co-accused Ravi Gope @ Ravi Shankar who confessed his involvement in the alleged offence alongwith the petitioner saying that the petitioner gave instruction from the jail for killing the deceased from Internet Calling. Learned A.P.P. further submits that there are 11 criminal cases pending against the petitioner and out of 11 cases, he is an accused in 5 cases which are of Section 302 of the I.P.C.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Danapur P.S. Case No. 208 of 2022, pending in the court of learned A.C.J.M.-I, Danapur (Patna).

7. The application stands rejected.

(Chandra Prakash Singh, J)

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