

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23334 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- SAHPUR District- Patna

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Dinesh Rai @ Dinesh Kumar S/o Samundra Rai R/o Vill- Sankarpur Dera,
Habaspur Dera, P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, App.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-08-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out
of Shahpur Police Station Case No. 197 of 2024, disclosing
offences under Section 302, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the FIR, on 11.06.2024, at about 5.30pm,
when the informant's brother, namely Jhulan Ray (deceased)
was milking cow in front of house of his neighbor, four people
arrived on motorcycle, namely Nitish Kumar, Sundar Rai,
Santosh Rai, Shiv Rai. Nitish Kumar got down from the
motorcycle and fired upon the informant's brother due to which
he died on the spot. It has further been alleged that the
informant's brother has been killed due to previous family



dispute.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and he has been made accused during course of investigation as one of the conspirators. He further submits that petitioner has been made accused in this case merely because he happens to be the cousin brother-in-law of co-accused Sundar Rai. The co-accused Santosh Ray, who is named in the FIR, has been granted regular bail by a Bench of this Court vide order, dated 06.08.2025, passed in Cr. Misc. No. 20945 of 2025. Petitioner is in custody since 22.07.2024 and there is no likelihood that the petitioner will abscond or tamper with the evidence.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that petitioner was one of the conspirators and he is having four criminal antecedents.

6. Regards being had to the submissions made by the parties and taking into consideration the fact that there is no direct allegation against the petitioner, he is not named in the FIR, the FIR named accused Santosh Ray has been granted bail by a Bench of this Court and the petitioner is in custody since 22.07.2024, accordingly, I am inclined to grant regular bail to



the petitioner.

7. This application is, accordingly, allowed.

8. 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 Sub-Divisional Judicial Magistrate, Danapur, in connection to the Shahpur Police Station Case No. 197 of 2024.

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

(Anil Kumar Sinha, J)

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