

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22354 of 2025**

Arising Out of PS. Case No.-94 Year-1999 Thana- PHULWARIA District- Begusarai

Dev Ram Rai @ Deo Ram Rai S/O Late Chattish Ray @ Chatish Ray @  
Chattis Rai R/O Village- Mushari (Mushari Vishhar), Vishhar Asthan  
(Vishahar Sthan), Ward no. 10, P.S- Fulwaria (Phulwaria), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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

ORAL ORDER

2      29-04-2025                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with  
Phulwariya (Phulwaria) P.S. Case No. 94 of 1999, instituted for  
the offences punishable under Sections 147, 148, 149, 302, 34  
of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, co-accused  
Chhatish Rai lured son of the informant out of his home, after  
which he was attacked by armed accused persons. During the  
confrontation, the petitioner shot informant's son due to which  
he sustained firearm injuries and collapsed. As he tried to  
escape, other accused persons caught and assaulted him, leading  
to his death.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is no any eye witness to the said occurrence. It is alleged that the petitioner has fired upon son of the informant due to which he died but police after completion of investigation has submitted final form against the petitioner and others showing the case to be true but clueless. It is next submitted that cognizance has been taken in this case by the learned Court below. The petitioner is in custody since 24.01.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by a Co-ordinate Bench of this Court vide order dated 19.09.2024 passed in Cr. Misc. No. 64482 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulwariya (Phulwaria) P.S. Case No. 94 of 1999, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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