

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23672 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- KOILWAR District- Bhojpur

Nagendra Ray S/o Kameshwar Ray R/o Village- Ward No. 4, Koilwar, P.S.-
Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Koilwar P.S. Case No. 29 of 2025, registered for the offences punishable under Sections 103(1) and 61(2) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, co-accused Vishal Kumar and Vikas Kumar took the informant's son from his house. Later on, the informant heard that his son was shot and lying in orchard near Kanya Utkramik Madhyam Vidyalaya. The informant went there and saw Vishal Kumar and Vishnu Kumar. Vishal Kumar was waving a pistol and threatened that he will eliminate the entire family of the informant. The informant also saw his son in pool of blood. He saw Avinash Kumar and Vikas



Kumar (Co-accused persons) running away with having arms in their hands. The son of the informant was brought to the hospital where the doctors declared him as dead. It has been also mentioned in the FIR that the accused persons in a conspiracy committed murder of the deceased by firing shots. The reason behind the occurrence is that the deceased had love and affection with daughter of the petitioner. In the last portion of the FIR, it has been mentioned that on earlier occasions, the petitioner had threatened the deceased to kill.

4. Learned counsel for the petitioner has submitted that there is no allegation on the petitioner to fire on the person of the deceased. In last portion of the FIR, it has been mentioned that the petitioner had earlier threatened the deceased since the deceased had love and affection with the married daughter of the petitioner. The petitioner is under custody since 31.01.2025 and he is a person of clean antecedent.

5. On the other hand, learned counsel for the informant and Mr. Shailendra Kumar Singh learned APP for the State have opposed the prayer for bail by submitting that the petitioner had threatened the deceased to kill and on his instigation accused persons committed his murder. The learned counsels also submitted that the post-mortem report



corroborates the allegation and fire arms injury was found on the person of the deceased.

6. There is no allegation of firing against the deceased. The only allegation is that he had threatened on earlier occasion but there is nothing on the record which shows that the informant or the deceased furnished any kind of information before the police in this regard. The petitioner is a person of clean antecedent and he is under custody for near about six months.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S. Case No. 29 of 2025, subject to the following condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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