

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25307 of 2025

Arising Out of PS. Case No.-121 Year-2021 Thana- SAHPUR District- Patna

MUNNA KUMAR @ MUNNA RAI @ MUNNA RAY S/O SHAMBU RAI
R/O VILL.- SIKANDARPUR, NITISH AAHAR, P.S.-SHAHPUR, DIST.-
PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-05-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.590 of 2021, arising out of Shahpur P.S Case no.121 of 2021 registered under sections 302, 147, 148 and 149 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, while talk was going on between the parties for settling the dispute between them, it is stated that the petitioner and one Sujit Kumar started to fire as a result of which the brother of the informant Raj Kumar Rai died on the spot while Manish Kumar died in course of treatment in the PMCH.

4. Learned counsel for the petitioner submits that the



earlier applications for bail of the petitioner were rejected on several occasions, the last being vide order dated 30.8.2024 passed in Cr. Misc. no.43057 of 2024. The petitioner has been falsely implicated in the case. In the case and counter case while two persons are alleged to have died on the other side, one person on the side of the petitioner was also killed. Three witnesses have been examined on behalf of the prosecution in course of trial. Referring to their deposition, it is submitted that PW-1 states the occurrence to have taken place between 8-9 p.m and claims to have seen the occurrence from the distance of 500-600 meters. PW-2 in his statement states about the PW-1 not being an eye witness while PW-3 is a doctor. Learned counsel further submits that the petitioner has remained in custody for more than 4 years since 4.4.2021 and undertakes to abide by any conditions which may be laid by this Court for his release on bail.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 23.4.2025 of the District and Additional Sessions Judge-V, Danapur, Patna, three witnesses have been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and



taking into consideration the allegation against the petitioner and one another resorting to firing resulting in death of the informant Raj Kumar Rai and Manish Kumar together with the trial having progressed with examination of three witnesses on behalf of the prosecution, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

