

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31042 of 2025

Arising Out of PS. Case No.-126 Year-2019 Thana- RAGHOPUR District- Vaishali

Santosh Rai @ Golu Rai S/o Indradeo Rai R/o vill - Sukumarpur, P.S.-
Raghopur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Shrivastava, Sr. Adv. Mr. Ashok Kumar, Adv. Mr. Girish Pandey, Adv. Mr. Akash Ambuj, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 21-11-2025 Heard Mr. Amit Shrivastava, learned Senior
Counsel for the petitioner and Mr. Jitendra Kumar Singh
representing the State.

2. The petitioner is in judicial custody in connection with S.Tr. No. 397 of 2023 arising out of Raghopur (Rustampur O.P) P.S. Case No. 126 of 2019 for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 452, 326, 354, 307, 302, 201, 120(B), 504 and 506 of the Indian Penal Code and section 27 of the Arms Act, lodged on 09.09.2019 by the informant, Bhulli Devi.

3. As per the prosecution story, the allegation against three set of accused persons is/are of killing/cutting three



persons and two of them into pieces.

4. Learned Senior Counsel for the petitioner submits that he has been alleged to have taken away Chanarik Rai with other accused persons killing him and then cutting into pieces. The submission is that number of innocents have been made accused, he has already suffered, is ready to face the trial and in default, if granted relief, the Court concerned can take immediate steps for cancellation of the bail bond.

5. Learned Senior counsel for the petitioner submits that most of the accused persons have been extended bail including those who are named in the second set having the allegation of taken away Chanarik Rai and killing him into two pieces. The submission is that Rama Rai @ Ramakant Rai (Cr. Misc. No. 29892 of 2020) as also Sanjiv Rai (Cr. Misc. No. 70308 of 2024) who are also in the second set of accused persons have been extended bail.

6. The petitioner was earlier denied bail only because of him having evaded the trial for long, the matter being of the year 2019. The submission is that if granted relief, he shall be diligently appearing in trial failing which the trial court shall be free to take steps for cancellation of the bail bond.

7. Learned APP, Mr. Singh opposes the prayer for bail



submitting that he has number of criminal antecedents.

8. A crime has been committed, grave allegation is against this petitioner, he also absconded earlier. However, fact remains that similar situate others have been extended relief as recorded above, the petitioner is in custody since 10.05.2024, an undertaking has been given that he shall be diligently appearing in trial without fail and shall not indulge in any criminal activity henceforth, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-IV, Vaishali at Hajipur in connection with S.Tr. No. 397 of 2023 arising out of Raghapur (Rustampur O.P) P.S. Case No. 126 of 2019 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do even on a single date without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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