

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32226 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- JALALPUR District- Saran

1. Krishna Rai @ Krishna Kumar Ray S/o Hira ray R/o Vill.- Maksoodpur-Bangra, P.S.- Jalalpur, Distt.- Saran
2. Sarvjeet Kumar @ Mintu Singh @ Minti Kumar S/o Bhgeshwar Kuar R/o Vill.- Hariharpur, P.S.- Baniyapur, Distt.- Saran
3. Ram Prasad Pandit S/o Sudama Pandit R/o Bhusanw-Hariharpur, P.S.- Baniyapur, Distt.- Saran

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shubhesh Pandey, Advocate Mr. Amit Kumar Mishra, Advocate Mr. Vinit Kumar, Advocate
For the State	:	Mr. Anant Kumar-1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application on behalf of petitioner no.1 - Krishna Rai @ Krishna Kumar Ray.

3. Permission is accorded.

4. Accordingly, this application is dismissed as withdrawn on behalf of petitioner no.1.

5. However, if petitioner no.1 surrenders before the learned Court below within a period of three weeks and seeks regular bail, the same shall be considered on its own merits also



taking into consideration that the other co-accused persons have already been granted regular bail by the learned Court below.

6. Now this application survives only for petitioner nos.2 and 3.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 103 (1) and 238 of the B.N.S. and Section 27 of the Arms Act.

8. The allegation in the first information report is that the sons of the informant, namely, Ashraf and Farooque were killed in suspicious circumstances and the first informant report was lodged against unknown. However, subsequently, the names of the accused persons have transpired during course of investigation.

9. It is submitted by learned counsel for the petitioners that it would be apparent from the first information report itself that the same has been lodged against unknown and initially the name of Pappu Sipahi and others featured and upon the statement of one Muskan Kumari with whom it is stated that one of the deceased Ashraf was having love affair, the name of Jitendra Raut, the maternal uncle of Muskan Kumari, appeared and upon confessional statement recorded by him some other persons were arrested. It is further submitted that the names of



the petitioners did not feature in the statement of the Muskan Kumari or in the statement of her maternal uncle, Jitendra Raut, rather the names has appeared in the confessional statement of one co-accused, Pankaj Singh, which would appear from the material collected in the case diary. The supplementary case diary also shows some telephonic conversation between the accused persons, however, the role of the petitioners do not feature therein. So far as petitioner nos.2 and 3 are concerned, there are no substantive material collected even during the course of investigation.

10. Learned APP for the State opposed the prayer for anticipatory bail on the ground that this is a double murder case, hence the petitioner nos.2 and 3 do not deserve bail.

11. Taking into consideration the facts and circumstances of the case, the rival contentions of the parties as well as the fact that other co-accused persons against whom there are serious allegations have already been arrested, coupled with the fact that no substantial material has been collected in the case diary against these two petitioners as also the fact that they have no criminal antecedent, let the above named petitioner nos.2 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four



weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jalalpur P.S. Case No.39 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to further condition that:

(i) One of the bailors would be their family members/close relative.

(ii) The petitioners shall co-operate in the investigation/Trial.

(Soni Shrivastava, J)

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