

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37422 of 2025

Arising Out of PS. Case No.-342 Year-2023 Thana- PATAHI District- East Champaran

1. Shambhu Rai @ Shambhu Ray S/o Shabhapati Ray @ Shabhapatii Rai R/o Village- Gonahi, P.S.- Patahi, District- East Champaran
2. Ravi Ranjan Rai @ Raviranjana Yadav S/o Shambhu Rai @ Shambhu Ray R/o Village- Gonahi, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in connection with Patahi P.S. Case No. 342 of 2023 instituted for the offence under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant heard the sound of firing and he went to the door of petitioner Shambhu Rai and he found blood stains there and empty cartridges as well. The brother of the informant was lying in the courtyard fifty steps away from the house of petitioner Shambhu Rai and he (deceased) was in conscious position. The informant



rushed him to the hospital. It is alleged that in the way, the informant's brother disclosed that petitioner Shambhu Rai and petitioner Ravi Ranjan Yadav have fired at him and after that he died in way to the hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Learned counsel for the petitioners has submitted that in this case, there is delay of one day in lodging the FIR. It has also been submitted that during course of investigation, Ram Pravesh Rai and Munna Kumar and given their confessional statements and in confessional statements, they have only named Shambhu Rai as liner. It has also been submitted that Munna Kumar Yadav, Ram Pravesh Ray and Vikash Jha have already been granted bail by learned co-ordinate Benches of this Court vide Cr. Misc. Nos. 20305 of 2024, 30206 of 2024 and 27963 of 2025 respectively. It has also been submitted that the case of the petitioners stands on similar footing. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 07.03.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer for regular bail of the



petitioners.

6. From perusal of the FIR itself, it is clear that there is allegation that the deceased has disclosed the name of the petitioners while he was being rushed to the hospitals as the assailants and the co-accused persons who have been granted bail by the learned co-ordinate Benches of this Court, their names have surfaced during investigation on the basis of confessional statement. So, the case of the petitioners does not stand on similar footing.

7. Having heard the learned counsel for the parties and considering the facts and circumstances of this case, I am not inclined to enlarge the petitioners on bail at this stage and, as such, their prayer for bail stand rejected.

8. However, the petitioners will be at liberty to renew their prayer for bail after six months if the trial is not concluded.

(Ashok Kumar Pandey, J)

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