

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41088 of 2025

Arising Out of PS. Case No.-53 Year-2023 Thana- GALGALIYA District- Kishanganj

Veeru Rai @ Birbal Kumar Rai@ Birbal Kumar S/o Ramkalesh Rai @
Ramklesh Ray R/o Village- Galgaliagachh, P.S.- Galgalia, P.O.- Churli,
District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Galgalia P.S Case No. 53 of 2023 registered for the offences
punishable under Sections 302/34 of the I.P.C

3. As per the prosecution story, the informant alleged
that his brother (deceased) had gone to meet a girl in the village
but later, it was informed that he has been brutally assaulted.
The informant (his brother) rushed to the place and found that
the named accused including this petitioner is assaulting his
brother with lathi, danda, sickle and iron rod etc. He was rushed
to the Government Hospital but succumbed to the injuries.
Later, the postmortem took place at Siliguri and a day later, the
FIR.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that co-accused has already granted bail by the Co-ordinate Bench of this Court vide order dated 31.01.2025 and 23.04.2025 passed in Cr. Misc. Nos. 30764 of 2024 and 20566 of 2025 respectively. It is further submitted that petitioner has got clean antecedent. It is also submitted that petitioner is in judicial custody since 23.02.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order, it appears that allegation against the petitioner is general and omnibus in nature. Witnesses had not supported the case in their statement. Co-accused has already granted bail by the Co-ordinate Bench of this Court vide order dated 31.01.2025 and 23.04.2025 passed in Cr. Misc. Nos. 30764 of 2024 and 20566 of 2025 respectively.

7. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions



Judge, Kishanganj in connection with Galgalia P.S Case No. 53
of 2023 Subject to conditions that:-

(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 so for two consecutive dates 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 fortnight for six months to mark his attendance;

(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.

(Ramesh Chand Malviya, J)

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