

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40490 of 2025

Arising Out of PS. Case No.-89 Year-2024 Thana- GWALPARA District- Madhepura

Raja Singh @ Raja Kumar S/o Late Kumod Singh R/O Village - Sahpur,
Ward no 8,P.S - Gwalpara, District - Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Gwalpara P.S. Case No. 89 of 2024 (S.T. Case No.
331/2024) registered for the offences under Sections 307,
302, 504, 34 of the Indian Penal Code and 27 of the Arms
Act.

3. The accused/petitioner is not named in the First
Information Report and is in custody since 02.01.2025 on
surrender.

4. As per FIR, three unknown miscreants opened fire
upon the father of the informant and subsequently upon two



other persons namely, Rohit Kumar and Ram Pravesh Thakur.

Due to said bullet injury, father of the informant died subsequently during treatment.

5. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has been falsely implicated with the present case out of local dispute and differences, and, therefore, he surrendered himself before the court in connection with the present case and since then he is in custody.

6. It is submitted that the informant is not an eye witness of the actual occurrence and even other two injured persons also failed to identify the miscreants, despite of same, T.I.P. of petitioner was not done as yet before the injured persons, which may establish a *prima facie* involvement of the petitioner with the present crime in question.

7. It is submitted that during course of investigation, name of the petitioner transpired only on the basis of confessional statement of co-accused Md. Aliya @ Ali Hussain, in furtherance of which, no incriminating material



appears to be recovered/surfaced as to connect the petitioner *prima facie* with the case.

8. While concluding argument, it is submitted that petitioner is a man of clean antecedent, and, moreover, investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

9. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

10. In view of aforesaid factual submission and by taking note of the fact as save and except suspicion arising out of confessional statement of co-accused, nothing incriminating appears during investigation as to connect the petitioner *prima facie* with the present occurrence of murder, coupled with the fact that petitioner remains in custody since 02.01.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned District &



Additional Sessions Judge-IX, Madhepura, in connection with
Gwalpara P.S. Case No. 89 of 2024 (S.T. Case No.
331/2024), subject to the condition as laid down under
Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya
Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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