

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49994 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- KALYANPUR District- East Champaran

Jagarnath Rai Son of Late Dalu Rai Resident of Village - Bairagi Tola, Police
Station - Kalyanpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate

For the State : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-08-2025 Heard Mr. Ramakant Sharma, learned Senior

Counsel for the petitioner and Mr. Krishna Kant Singh, learned
counsel representing the informant as also learned APP
representing the State.

2. The petitioner is in custody in connection with
Kalyanpur P.S. Case No. 93 of 2025 for the offence punishable
under Sections 191(2), 191(3), 109, 103(1), 351(2) and 352 of
the B.N.S. and section 27 of the Arms Act, lodged on
15.03.2025 by the informant Shivpujan Rai.

3. As per the prosecution story, the informant alleged
that on 14.03.2025, as he was at his door, the named accused
persons came with common intention and after abuse, called his
son Rohit Kumar. As he came out, the accused extorted to kill
him where after Amrendra Narayan, Ashok Yadav caught hold



of his hand and Chhotu Yadav attacked with iron rod on the head causing grievous injury. Meanwhile, the petitioner, having dagger in his hand pierced in the stomach, the intestine came out and he died instantly. Further allegation is that Harendra Rai, the bodyguard of the petitioner opened fire though no injury takes place, the firing is also attributed to Rajendra Rai and Devendra Rai, this issue is relating to the PACS election and the accused wanted to show their dominance. This led to the F.I.R.

4. Learned Senior Counsel has taken this Court to postmortem report and submits that allegation of assault on the head has also been made which do not do not reflect in the postmortem report. Further submission is that the another version has come that it was the informant side who were aggressor and it was a self defense which has been exaggerated to make the allegation against the petitioner who is also a sitting 'Mukhiya'.

5. Learned counsel for the informant on the other hand has again taken this Court to the postmortem report to show that the injury of the abdomen shows that purported intestine coming out of the wound, he submits that Medical Report fully corroborates the allegation that has come against the petitioner.

6. Taking into account the aforesaid facts, there is



specific allegation against the petitioner of having pierced the stomach which led to the injury to the intestine causing the death of the informant’s son, he has criminal antecedent also, in that background, this Court is not inclined to extend him the privilege of bail.

7. Accordingly, the bail application stands rejected.

(Rajiv Roy, J)

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