

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51584 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- WARISNAGAR District- Samastipur

Rajeev Rai @ Rajeev Kumar @ Rajeev Ray, S/o- Ramlal Ray Resident of
Village- Bhagirathpur Police Station-Kalyanpur District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s :	Mr. Dilip Kumar No. 1, APP
For the Informant :	Ms. Vaishnavi Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 29-08-2025 Heard Mr. Nilendu Kumar Choudhary, learned Advocate for the petitioner and the learned Advocate for the State. The informant is represented through Ms. Vaishnavi Singh.

2. This is the second attempt made on behalf of the petitioner for grant of bail, who is in custody in connection with Sessions Trial No.384 of 2025 arising out of Warisnagar (Mathurapur O.P.) P.S. Case No. 18 of 2024 registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier, the prayer for bail of the petitioner came to be negated twice by this Court and lastly vide order dated 20.12.2024, after taking into consideration the specific



accusation of causing firearm injury as well as the criminal antecedent.

4. Learned Advocate for the petitioner submitted that some facts are admitted that the petitioner had earlier moved before this Court for grant of anticipatory bail. On being refused by this Court, he immediately surrendered and now the charges have already been framed. It is further contended that the petitioner was one of the witnesses to the case in which the deceased had been convicted and there are various other criminal cases lodged against one another; thus enmity is writ large.

5. Learned Advocate for the petitioner tried to persuade this Court that the allegation levelled in the FIR does not corroborate with the postmortem injury; however, he fairly submitted that the prayer of the petitioner has already been rejected on merit(s) on the last occasion.

6. Learned Advocate for the State and the learned Advocate for the informant opposed the prayer for bail and submitted that it is the petitioner, who along with other co-accused persons gave fatal blow. They further submitted that the delay in framing of charge(s) was occurred on account of the fact that some of the accused persons are still evading their



arrest and now the charges have been framed. The informant and other witnesses will cooperate in the trial. It is also submitted that the petitioner bears eight criminal antecedent besides specific accusation of firing, leading to death.

7. Regard being had to the submissions made on behalf of the parties and taking note of the specific nature of accusation, this Court is not acceded to the prayer for bail of the petitioner. Accordingly, his prayer is rejected.

8. However, it is expected that the learned Trial Court shall take all sincere efforts to conclude the trial, as early as possible.

(Harish Kumar, J)

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