

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53775 of 2025

Arising Out of PS. Case No.-305 Year-2023 Thana- AMNAUR District- Saran

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Sudish Rai son of Late Chandrama Rai RO Village -Jhakhari PS- Amnaur @
Amnour District -Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

For the Informant : Mr. Akhileshwar Pandey, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 19-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with Amnaur
@ Amnour P.S. Case No. 305 of 2023 instituted for the offences
under Sections 363/34 of the Indian Penal Code and later on
Section 302 of the Indian Penal Code.

3. Prosecution case, in short, is that the accused
persons including the petitioner committed the murder of the
father-in-law of the informant.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that the petitioner has been named in this case only on the basis of suspicion. Learned counsel further submitted that initially the FIR was registered for the offence under the bailable Sections and the petitioner was granted bail 19.01.2024. It is further submitted that police after investigation submitted charge-sheet under Sections 364, 120B, 302, 420, 467, 468, 471/34 of the IPC and thereafter, cognizance was taken on 23.09.2024 by the learned Magistrate under the same Sections and order of summons was passed. Thereafter, Non Bailable Warrant was issued on 09.05.2025 and the petitioner was arrested and produced before the learned Magistrate on 01.06.2025. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that the so-called confessional statement attributed to the petitioner has no evidentiary value in the eye of law. Even assuming the said statement to be true, it does not disclose any active role of the petitioner in the commission of the murder; at most, it suggests his involvement, if any, only in the alleged criminal conspiracy. It has been submitted on behalf of the petitioner that the



petitioner is in custody since 01.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation of assaulting the deceased against the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amnaur @ Amnour P.S. Case No. 305 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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