

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54173 of 2025

Arising Out of PS. Case No.-490 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Rajnish Jha @ Rajnish Kumar Jha Son of Avinash Jha Resident of village -
Loknathpur, Belbanna, Ward No.- 24, P.S.- Dalsingsarai, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Surya Narayan Roy, Advocate Mr. Ashok Kumar Singh, Advocate
For the State	:	Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-12-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 448, 341, 323,
307, 302, 379 and 354 of the Indian Penal Code and and Section
27 of the Arms Act.

3. As per prosecution case, on the alleged date and
time of occurrence, on the orders of co-accused Arvind Jha, this
petitioner, along with co-accused Avinash Jha, Sushil Rai and
Mohan Paswan, who were having country made pistols, fired
upon son of informant as a result of which, son of informant,
namely Govind Yadav, died on the spot whereas one



Krishnamurthy Rai sustained fire arm injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. As per F.I.R., all four F.I.R. named accused persons, including this petitioner, are alleged to have fired, however, only two fire arm injuries were found on the person of the deceased, which itself falsifies the entire prosecution case. It is further submitted that the present F.I.R. has been lodged after *post mortem* of the deceased. Co-accused Sushil Rai, who is having similar and identical allegations, has already been granted bail by this Hon'ble Court vide order dated 31.10.2025 passed in *Cr. Misc. No. 36917 of 2025*. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 20.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, claim based on parity, clean antecedents of the petitioner and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be



released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Dalsingsarai, District- Samastipur in connection with Dalsingsarai P.S. Case No. 490 of 2023.

(Prabhat Kumar Singh, J)

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