

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64656 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- MEHSI District- East Champaran

Kamal Kishor Ray S/O Ramprawesh Ray R/O Bangara, P.S- Sahebganj,
Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

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

ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Mehshi
P.S. Case No. 137 of 2024, instituted for the offences punishable
under Sections 103(1), 3(5), 309(6) of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that three
unknown miscreants were looting oil from a truck near a line
hotel and when brother of the informant protested, they shot and
killed him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is neither named in the FIR nor was arrested on the spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. There is no any eye-witness to the alleged occurrence. It is further submitted that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. The petitioner has got no concern with the alleged occurrence. The petitioner is in custody since 08.04.2025 and has got one criminal antecedent in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the FIR is registered against unknown but, in paragraph no. 14 of the case diary which is confessional statement of co-accused, namely, Upendra Kumar where he confessed his guilt and stated about the involvement of the petitioner and other co-accused persons in this case. It is further submitted that regular bail of co-accused has been rejected by this Court vide order dated 13.08.2025 passed in Cr. Misc. No. 29268 of 2025. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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