

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67135 of 2025

Arising Out of PS. Case No.-126 Year-2019 Thana- RAGHOPUR District- Vaishali

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Ajai Rai @ Ajay Rai S/o Shobhit Rai R/o Village- Sukumarpur, P.S.-
Raghopur (Rustampur), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 14-11-2025 Heard Mr. Ramchandra Singh, learned counsel for the

petitioner and the State.

2. The petitioner is in judicial custody in connection with S.Tr. No. 397 of 2023 arising out of Raghopur (Rustampur O.P) P.S. Case No. 126 of 2019 for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 452, 326, 354, 307, 302, 201, 120(B), 504 and 506 of the Indian Penal Code and section 27 of the Arms Act, lodged on 09.09.2019 by the informant, Bhulli Devi.

3. Earlier, the bail application of the petitioner has been rejected vide an order dated 06.02.2025 in Cr. Misc. No. 74287 of 2024.

4. As per the prosecution story, the allegation against three set of accused persons is/are of killing/cutting three



persons and two of them into pieces.

5. Learned counsel for the petitioner submits that most of the accused persons have been extended bail including those who are named in the second set having the allegation of taken away Chanarik Rai and killing him into two pieces. The submission is that Rama Rai @ Ramakant Rai (Cr. Misc. No. 29892 of 2020) as also Sanjiv Rai (Cr. Misc. No. 70308 of 2024) who are also in the second set of accused persons have been extended bail. He was earlier denied bail only because of him having evaded the trial for long, the matter being of the year 2019. The submission is that if granted relief, he shall be diligently appearing in trial failing which the trial court shall be free to take steps for cancellation of the bail bond.

6. Learned APP opposes the prayer submitting that the petitioner has criminal antecedent.

7. Considering the submissions of the parties as also the fact that most of the accused persons have been granted including Rama Kant Rai and Sanjeev Rai, as stated above, he has remained in custody since 10.05.2024, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.



8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-IV, Vaishali at Hajipur, in connection with S.Tr. No. 397 of 2023 arising out of Raghapur (Rustampur O.P) P.S. Case No. 126 of 2019 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the trial to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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