

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72230 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- KOILWAR District- Bhojpur

Saroj Ray S/o- Police Ray Village- Chakiya PS-Doriganj District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Adv
For the Opposite Party/s : Mrs. Sharda Kumari, APP
For the Informant : Mr. Navin Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

8 03-07-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Koilwar P.S. Case No. 210 of 2024 dated 02.05.2024 registered for the offences punishable under Sections 302 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 01.05.2024 at 3.30 P.M., the son of the informant, Vikash Mahto and his some villagers went to *Gadhैया Sand Mines* to work there where firing took place to establish supremacy on mining of sand in which some persons got injured by bullets. The informant went there and found his son and Sudarshan Rai got injured by bullets in the said firing and died during their treatment. It is further



alleged that the informant and Tulsi Rai, the father of Sudarshan Rai, went to hospital and found that the bullets hit 3-4 places on the bodies of the deceased. They also came to know that at *Kamaluchak Gadhaiya Balu Ghat*, the incident of firing took place between the group of Satyendra Pandey, his son Niraj Pandey and Guddu Rai and in the said incident, the informant's son Vikash Mahto and Sudarshan Rai died due to injuries of bullet and one Purnmashi Ram, the villager of the informant also sustained injuries of firearms in the said incident.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the course of investigation. It is further submitted that the firing was made between two groups of mining of *Sone* sand between Satendra Pandey and his son and Guddu Rai's group for domination of the mines. There is no specific allegation against the petitioner. He has no concern with the alleged offence. No incriminating article has been recovered from his possession. In para. 71 of the case diary, the injured Purnmashi Mahto has not stated the name of the petitioner rather he has stated that Guddu Rai and his associates started firing. The other co-accused person has already been granted bail by this court *vide* order dated 19.04.2025 passed in Cr. Misc. No. 72321/2024. The petitioner has four criminal



antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 26.06.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bhojpur at Ara or concern court, Bhojpur at Ara in connection with Koilwar P.S. Case No. 210 of 2024 with further condition:-

(I). The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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