

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73349 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- BIHRA District- Saharsa

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Fulchandra Rai Son of Lalo Rai Resident of Village - Patori, Ward No.- 4,
P.S.- Bihra, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bihra P.S.
Case No. 31 of 2025 instituted for the offences under Sections
103(1), 238, 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the accused persons
including the petitioner killed the daughter of the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
specific overt act is alleged against the petitioner. Learned
counsel further submitted that petitioner has no concern with the



alleged occurrence. He further contended that as per the confessional statement of the petitioner as also of other accused persons, the specific allegation is allegedly against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.02.2025 and has no criminal antecedent. Other co-accused has been granted bail by this Court vide order dated 03-09-2025, passed in Cr. Misc. No. 39867 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. There is specific allegation against the petitioner. It is pertinently submitted that petitioner has confessed his guilt in his confessional statement. As per postmortem report, cause of death is due to asphyxia as a result of strangulation.

6. Considering the aforesaid facts and circumstances of the case, there being no direct allegation against the petitioner followed by confessional statement of the petitioner, this Court is not inclined to grant bail to the petitioner. Prayer for bail of the petitioner is hereby *rejected*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.



8. However, petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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