

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71313 of 2025

Arising Out of PS. Case No.-420 Year-2025 Thana- RAMKRISHNANAGAR District- Patna

Binod Rai @ Vinod Rai @ Vinod Ray, (Male), aged about 65 years, S/O Late
Satya Narayan Rai, R/O - Chandasi, P.S - Gaurichak, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ghanshyam Tiwary, Advocate
For the Informant	:	Mr. Arvind Prasad Singh, Advocate
For the State	:	Mr. Upendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 18-11-2025 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 Ram
Krishna Nagar P.S. Case No. 420 of 2025 dated 26.05.2025
registered for the offences punishable under Sections 103(1),
61(2), 325 read with Section 3(5) of the B.N.S., 2023 and
Section 27 of the Arms Act.

3. As per the prosecution case, on the alleged date and
time of occurrence, the informant's husband was serving fodder
to his pet cattle at his cowshed situated behind the '*Hanuman
Temple*' at *Jagganpura*, in the meantime, three persons came on



a motorcycle and they fired indiscriminately on the informant's husband, due to which, he sustained several firearm injuries on his person and fell down, thereafter, he was taken at 'Ford Hospital' by the informant and others but the doctor declared him dead. It is further alleged that the daughter of the informant, namely, Puja Kumari, was married with the co-accused Niraj Kumar and after some time of marriage, her daughter was tortured and assaulted by her in-laws due to non-fulfillment of demand of dowry, in the meantime, on 26.07.2024 her daughter was killed for which Gaurichak P.S. Case No. 378 of 2024 was registered against Munna Rai, Vinod Rai in which they were absconded. It is further alleged that the co-accused Niraj Kumar and his father Mahendra Rai who are in custody were used to give threatening the deceased to withdraw that case otherwise they would kill him. The informant believed that the absconded accused persons of that case, namely, Munna Rai, Vinod Rai, Niraj Kumar and Mahendra Rai in conspiracy have killed the husband of the deceased.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that Gaurichak P.S. Case No. 378 of 2024 was lodged against the co-accused Niraj Kumar



who is the husband of the deceased's daughter but the petitioner is not the family members of the co-accused Niraj Kumar, hence, Section 80 of the B.N.S.S., is not made out against the petitioner. The petitioner has only gave threatening to the informant. It is further submitted that save and except suspicion, there is no substantive evidence to suggest the implication of the petitioner in the present case. It is further submitted that the petitioner was a Panch in a panchayati to compromise the matrimonial dispute between the co-accused Niraj Kumar and Puja Kumari prior to the present occurrence, hence, the petitioner was made an accused in Gaurichak P.S. Case No. 378 of 2025 only on the basis of suspicion. There is no eye witness to the alleged occurrence. The charge sheet has been submitted against the petitioner in the present case. It is further submitted that after investigation, the Investigating Officer has not found any sufficient material against the petitioner in the present case. It is further submitted that the confessional statement of five accused persons have been recorded but in the same they have not named the petitioner. It is further submitted that the other co-accused person, namely, Munna Rai @ Munna Kumar has already been granted by in Cr. Misc. No. 67262 of 2025 vide order dated 17.09.2025 by the another co-ordinate Bench of this



Court, annexed as Annexure-P/2 to the present bail petition. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 28.05.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further referred the statement of Vinod Yadav who is the brother-in-law of the deceased, which is available in paragraph no. 23 of the case diary.

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 J.M. Ist Class, Patna in connection with Ram Krishna Nagar P.S. Case No. 420 of 2025 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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