

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72762 of 2025

Arising Out of PS. Case No.-85 Year-2023 Thana- AWTARNAGAR District- Saran

Manoj Kumar Rai @ Manoj Rai @ Sukesh Rai S/O Kashi Rai @ Kashi Pd.
Rai Resident of Village- Jhauwa Tola , P.S -Awtar Nagar , Diistrict - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Himanshu Ranjan, Advocate

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

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

ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Awtar
Nagar P.S. Case No. 85 of 2023 instituted for the offences
under Sections 302, 120B of the Indian Penal Code.

3. Accusation against the accused persons including
the petitioner is of assaulting the deceased due to which he
sustained injuries and died.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and
omnibus allegation has been made against the petitioner. No
specific overt act is alleged against the petitioner. Learned



counsel further contended that deceased died due to shock which is also evident from the post-mortem report of the deceased, in which doctor has opined that the death of deceased has been caused due to sudden cardiac arrest leading to cardio-respiratory failure. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent and he is in custody since 01.09.2025. Similarly situated co-accused person has been enlarged on anticipatory bail by this Court vide order dated 25.07.2025, passed in Cr. Misc. No. 14981 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Awtar Nagar P.S. Case No. 85 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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