

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73230 of 2025

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

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Kallu Rai @ Umakant Rai @ Srikant Rai @ Sri Kant Yadav S/O Sanjivan Rai
R/O Vill.- Sukumarpur, P.S. Raghopur (Rustampur O.P.), District Vaishali,
and presently R/O Locality - Baglodan Gali, Mangal Talab, P.S.- Chowk,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 302, 307, 120-B & other allied sections
of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, three persons namely
Sanjivan Rai, Chanarik Rai and Putul Rai were killed by slitting
them in pieces and their bodies were thrown in the river.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case due to
previous enmity. there is no eye-witness to the alleged
commission of murder. Altogether 21 persons including this
petitioner have been named in the F.I.R. There is general and



omnibus allegation against all the accused persons. He further submits that specific allegation against petitioner is that he along with co-accused Sanjivan Rai, Jaikant Rai and Ranvijay Rai had assaulted the deceased Nazir Rai and the same is corroborated with the injury report and the doctor has opined five bullet shots injuries causing his death. He next submits that it is not clear from the F.I.R. as to who assaulted the deceased. In course of investigation, the testimony of the witnesses is also not specific that the petitioner had taken the life of the deceased Nazir Rai. So far as other deceased are concerned, the allegation of assault is against other co-accused persons. Lastly, learned counsel for the petitioner submits that recount of each fact in “mathematical details” by an eye-witness of a group attack, which lasted for few seconds, is highly improbable and difficult to digest. Similarly situated co-accused Jaikant Rai has already been granted bail by a coordinate Bench of this Court, vide order dated 21.09.2022 passed in Cr.Misc. No. 24617 of 2022. Petitioner is in custody since 04.09.2025. Chargesheet has been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances,



let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – IV, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 126 of 2019, corresponding to Sessions Trial No. 397 of 2023 (A).

(Prabhat Kumar Singh, J)

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