

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83933 of 2024**

Arising Out of PS. Case No.-165 Year-2023 Thana- RAHUI District- Nalanda

Monu Kumar Son of Late Satish Chandara Verma Resident of Village-  
Jagdishpur, P.S. and District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar, Advocate

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

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

ORAL ORDER

5      14-02-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Rahui  
(Bena) P.S. Case No. 165 of 2023 (G.R. No. 2125 of 2023)  
instituted for the offences under Sections 341, 323, 307, 302/34  
of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier, vide order dated 19.04.2024 passed in Cr.  
Misc. No. 15878 of 2024, the prayer for grant of bail to the  
petitioner was rejected by this Court. The present one is the  
second attempt of the petitioner for grant of bail.

4. As per the prosecution story, there was dispute  
because of land and the grand-sons were always pressurizing  
Ram Raksha Choudhary to part with the said land. On the



fateful day, allegation is that they came to the house, assaulted both the grand-father and grand-mother, forcing them to execute the sale-deed and when he refused, the allegation is that Monu Kumar (petitioner herein) and Vikash Kumar opened fire on the grand-father/Ramraksha Choudhary due to which he fell down. When the daughter Sulekha Kumari rushed to caught hold of them, the co-accused/Gunjan Kumar opened fire which however went out touching her head. Thereafter, all the five accused persons fled away on two motorcycles.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. There is a subsisting land dispute between the parties due to which the petitioner has been dragged in this case. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 01.11.2023. Learned counsel for the petitioner further submits that the co-accused Munna Kumar @ Munnu Prasad has been granted bail by this Court vide order dated 04.12.2023 passed in Cr. Misc. No. 76522 of 2023.

6. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of bail to the petitioner stating that the petitioner is named in the F.I.R. and there is a specific and direct allegation of gun-shot firing against the petitioner upon his grand-father due to which he died. He further submits several witnesses have fully supported the alleged occurrence. The postmortem report also supports the prosecution case. The allegation made against the petitioner is serious in nature and, thus, the petitioner does not deserve bail.

7. As per the report sent by learned trial Court vide letter no. 22/2025, out of six charge-sheeted witnesses, one has been examined. It is further reported that trial is likely to be concluded within next six months.

8. Having considered the entire facts and circumstances of the case, the present stage of the trial as per the report sent by the learned court below, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

10. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the learned court below after a period of six months from today if the trial is not



concluded within the stipulated period of six months. If any such application is filed, the learned court below shall consider the same on its own merit, without being prejudiced by this order.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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