

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78535 of 2025

Arising Out of PS. Case No.-13 Year-2021 Thana- AKILPUR District- Saran

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Kunal Rai S/o Subhash Rai R/o Village- Purani Panapur, P.S.- Akhilpur,
District- Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-11-2025 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The present petition is by way of third attempt at the behest of the petitioner for grant of regular bail in connection with Session Trial No. 653 of 2021, arising out of Akilpur P.S. Case No. 13 of 2021, registered for the offences punishable under Sections 143, 341, 448, 354(B), 376, 511, 302 and 506 of the Indian Penal Code, inasmuch as all the prayer of the petitioner for grant of regular bail have stood dismissed.

3. The case of the prosecution, in brief, according to the informant, is that on 03.03.2021 at about 11:00 O'clock in the night, when the informant and her family members were sleeping, the petitioner and other accused persons had arrived there, whereafter the petitioner had tried to commit rape with the daughter-in-law of the informant, however, alarm was raised



and the villagers had arrived there, whereupon the accused persons had lifted the son of the informant and had taken him out of the house, nonetheless, the informant had followed them and subsequently, he saw that the petitioner and the co-accused person, namely Kanbucha Rai had pressed the neck of the son of the informant and killed him.

4. The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 05.03.2021, hence sympathetic view be taken and the petitioner be granted the privilege of bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail and has submitted that the earlier order of this Court dated 16.01.2023 passed in Criminal Miscellaneous No.60922 of 2021 is a well considered order which shows that the petitioner is having complicity in the alleged occurrence and he along with the co-accused person, namely, Kanbucha Rai, had pressed the neck of the son of the informant and killed him.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that there is no change in circumstance, so as to



warrant re-consideration of the prayer of the petitioner for grant
of regular bail, hence I do not find any merit in the present
petition, thus the same stands dismissed.

(Mohit Kumar Shah, J)

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