

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89060 of 2024

Arising Out of PS. Case No.-900 Year-2023 Thana- MANER District- Patna

Sagar Rai @ Sagar Kumar Son of Kashi Rai @ Okashi Ray Resident of
Village - Ganga Tola Lodipur, Beapur, P.S.- Maner, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Advocate
Mr.Sanjay Kumar Mishra, Advocate
Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 20-08-2025 Heard Mr. N.K. Agrawal, learned senior counsel

appearing on behalf of the petitioner and learned A.P.P. for the

State.

2. The accused/petitioner seeks bail in connection with

Maner P.S. Case No. 900 of 2023 registered for the offences

under Sections 302/34 of the Indian Penal Code and 27 of the

Arms Act.

3. The accused/petitioner is named in the First

Information Report and is in custody since 03.06.2024.

4. As per FIR, petitioner along with other co-accused

persons committed murder of the son of the informant by

causing fire-arm injury.

5. Mr. N.K. Agrawal, learned senior counsel, while



appearing on behalf of the petitioner, submitted that informant is not an eye witness of the alleged occurrence and entire allegation is raised on the basis of hearsay input what the informant received from undisclosed source.

6. It is submitted that one of the reason for implication of the petitioner with the present occurrence is suspicion arising out of his criminal antecedents as he found involved in five criminal cases, where in three cases, he is on bail.

7. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State, while opposing the prayer for bail of the petitioner, submitted that during investigation witnesses while recording their statement under section 161 of the Cr.P.C./180 of the B.N.S.S. categorically claimed themselves as an eye witness of the occurrence and stated that this petitioner shot dead the son of the informant. It is also submitted that confessional statement of petitioner was recorded and thereafter the weapons, which were used in the crime, was also recovered from the possession of this petitioner,



which, upon forensic examination, confirmed the alleged firing.

9. In view of aforesaid factual submission and by taking note of the fact as several witnesses, during course of investigation, claimed themselves as an eye witness of the occurrence by specifically alleging that the petitioner shot dead the son of the informant, coupled with the fact that upon his confession weapon of crime appears recovered from possession of the petitioner.

10. Accordingly, prayer of bail of the petitioner stands rejected herewith for the present.

11. As the petitioner remains in custody since 03.06.2024, learned trial court is directed to conclude the trial preferably within a period of six (6) months from the date of receipt/production of a copy of this order by taking this matter on day-to-day basis.

(Chandra Shekhar Jha, J)

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