

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1586 of 2026

Arising Out of PS. Case No.-78 Year-2024 Thana- SAHAR District- Bhojpur

=====

Nandu Rai Son of Arvind Rai Resident of Vill.- Perhap, P.S.- Sadar, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 13-02-2026 Heard the learned counsel for the petitioner and
the learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in
connection with Sahar P.S. Case No. 78 of 2024 registered for
the offence(s) punishable under Section(s) 147, 148, 149, 307,
302, 448, 201 and 447 of the Indian Penal Code and Sections
25(1-B)a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, the informant has
alleged that named male accused persons entered his Dalan



where he was sitting with his son and on account of previous enmity, the accused being agnates fired, on which the informant and his son fled inside their house, thereafter, Priyanshu, Deepak and Sonu fired indiscriminately causing injury to his son, thereafter Diwakar, Vishnu, Suman, Parmatma, Nandu (petitioner) and Chhotak along with three to four unknown accused also fired at the informant and his son who was lying on the ground while the informant was watching the occurrence from the window, it is next alleged that his son was declared dead by the doctor and informant was referred to Dr. Vikash for better treatment.

4. It has been submitted on behalf of the petitioner that he has falsely been implicated in this case as an afterthought. It has been submitted that the statement of the informant was recorded on the second day, despite the fact that the seizure, inquest and the postmortem was prepared on the same day and very meticulously the name of thirteen named persons and three to four unknown have been taken by the informant to be participants in the present incident. It has further been submitted that there is an admitted land dispute between the informant and the other accused persons, however, the present petitioner has nothing to do with the dispute with



regard to the partition. It has also been submitted that no incriminating article has been recovered from the conscious possession of the petitioner. The learned counsel further submits that even if the allegations are taken on its face value, there is specific allegations upon three persons, namely, Priyanshu Kumar, Deepak Rai and Sonu Kumar, who have fired upon the deceased. It has lastly been submitted that the petitioner is in custody since 30.05.2025 and carries two criminal antecedents.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 30.05.2025, let the petitioner, above-named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sahar P.S. Case No. 78 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.



(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

U		T	
---	--	---	--

