

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7865 of 2026**

Arising Out of PS. Case No.-140 Year-2023 Thana- JANDAHA District- Vaishali

Sunil Rai @ Sunil Ray Son of Ram Mahendra Rai @ Mahendra Ray R/o  
Village/ Town- Fatehpur Pakri, P.S.- Mahua, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aniket Singh, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      01-05-2026                      Heard Mr. Aniket Singh, learned counsel for the  
  
petitioner and Ms. Renuka Ratnakar, learned Additional Public  
  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
14.05.2023 in connection with Jandaha P.S. Case No. 140 of  
2023 for the offences punishable under Sections 302, 201,  
120(B) and 34 of the IPC.

3. That the prosecution case, in brief, is that one  
Rajbanshi Devi on 09.05.2023 at 10.00 AM, her youngest son  
namely Sudhir Rai along with her elder son Sunil Rai (petitioner)  
and one Subodh Rai left home to the house of her daughter Indu  
Devi. They all reached there at 11 Clock from there, at 2 'O'  
Clock, they all went to village Bhadwas for negotiation of  
marriage of her niece. It is further alleged that at 02.30 P.M., all  
the three left village Bhadwas to return back on a motorcycle but  
only her eldest son Sunil and Subodh returned home on the



motorcycle, when they were asked about Sudhir, both of them did not say anything. She tried to contact Sudhir over his mobile but the mobile was switched off. It is further alleged that Baby Kumari wife of Sunil (her son) used to threaten her in course of quarrel that they would get Sudhir killed. Soon after the marriage, Baby Kumari started living separately with her husband and she (Informant) was residing with Sudhir and as such they were annoyed. It is also alleged that on 10.05.2023, at 2 PM she knew about the death of her son (Sudhir) through the mobile of the people. He was killed at Jagdishpur and the dead body was kept at Sadar Hospital. They reached at the Hospital, identified and thereafter, funeral was done. She believed that her son Sunil Rai(petitioner), daughter-in-law Baby Kumari and Subodh Rai have conspired and killed her son Sudhir Rai by cutting his throat with sharp cut weapon and with the help of other unknown persons who tried to conceal the dead body.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Learned counsel for the petitioner further submits that petitioner is in custody 14.05.2023 and the trial has not been progressed. He further submits that the co-accused, namely, Subodh Rai has been granted regular bail by this Court vide order dated 19.03.2026 passed in Cr. Misc. No. 72088 of 2025.



5. Vide order dated 10.04.2026, report was called for with regard to the stage of the trial. The report dated 21.04.2026 of the learned trial court reveals that out of ten charge-sheet witnesses, only one witness has been examined and case is pending for the rest nine prosecution witnesses.

6. Learned counsel for the petitioner submits that in view of the report of the learned trial court the trial will not be concluded in the near future and the petitioner is in custody since 14.05.2023.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of supplementary affidavit filed on behalf of the petitioner that he is on bail in the pending matter.

8. Considering the aforesaid facts and circumstances, period of custody as well as the report of the trial court, let the petitioner, above named, 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 the learned District & Additional Sessions Judge-IV, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 140 of 2023, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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