

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30902 of 2026

Arising Out of PS. Case No.-265 Year-2024 Thana- DORIGANJ District- Saran

Amir Rai Son of Kitab Ray @ Kitab Rai R/o Village - Bindgama, P.S.-
Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Madhukar Anand, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP
For the Informant	:	Mr. Rakesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 01-07-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Doriganj P.S. Case no. 265 of 2024 registered under sections 103(1) and 3(5) of the Bhartiya Nyay Sanhita, 2023 and section 27 of Arms Act.

3. As per the prosecution case, the informant states that while he had accompanied his elder brother to ease himself on the river side, the accused persons gathered there including the petitioner herein were armed with rifle etc. It is stated that Rahul Rai and the petitioner resorted to indiscriminate firing with their rifle on the



informant's brother as a result of which he died on the spot itself. On *hulla* being raised, the co-villagers gathered. The dead body of the informant's brother was taken for postmortem examination by the police.

4. It is submitted by learned Senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. The informant is not an eyewitness to the occurrence and the manner of occurrences is other than what has been narrated in the F.I.R. Referring to the independent witnesses whose statements have been recorded in course of investigation including that in paragraph no. 14 of the case diary as also the statements of Shankar Rai and Santosh, it is stated that the witnesses had seen the dead body being brought on boat by another brother of the informant. Thus the manner of occurrence is other than what has been narrated in the F.I.R. The postmortem report does not support the prosecution case and the petitioner is in custody since 10.3.2026. Charge sheet has been submitted in the case.

5. The application for bail is opposed by the learned APP for the State and learned counsel for the



informant. Learned counsel for the informant submits that besides being named in the FIR, the petitioner along with Rahul Rai are the main assailants of the deceased.

6. Having heard learned counsel for the parties, and taking into consideration the allegation against the petitioner in the FIR wherein the petitioner along with co-accused Rahul Rai are said to have resorted to indiscriminate firing with their rifle leading to the death of the informant's brother, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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