

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40399 of 2026

Arising Out of PS. Case No.-56 Year-2024 Thana- AWTARNAGAR District- Saran

Rajeshwar Rai @ Rajeshwar Ray S/O Late Sohag Rai R/O Village- Jhausa
Tola, P.S.- Awatar Nagar, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the State : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection
with Awatar Nagar P.S. Case No. 56 of 2024 instituted under
Sections 302 & 34 of the Indian Penal Code.

3. The petitioner and others are said to have assaulted
the deceased causing his death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The petitioner and the informant are agnates and due to
dispute regarding drainage on common passage, the present
case has been lodged.

5. Learned APP appearing for the State opposes the
prayer for anticipatory bail of the petitioner.



6. Considering the nature of allegation, this is not a fit case for grant of anticipatory bail.

7. Accordingly, the application stands dismissed.

8. The petitioner may surrender and pray for regular bail. If he surrenders and prays for regular bail, the Court below will consider the fact that similarly situated co-accused has been granted regular bail.

9. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

(Sandeep Kumar, J)

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