

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42889 of 2026

Arising Out of PS. Case No.-343 Year-2024 Thana- PATEPUR District- Vaishali

Baidyanath Rai S/O Ram Sakal Rai Resident of viilage- Bajitpur Kaiju
(Bakarh) P.S.- Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Advocate Ms. Kajal, Advocate Mr. Purushottam Kumar, Advocate
For the Opposite Party/s :		Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137 and 140(3) of BNS. Later on, Section 103 of BNS was added.

3. The case of the prosecution is that the husband of the informant has gone from his house on 05.11.2024 but he did not return till night. He was being searched and on 04.11.2024, he stayed at the house of his cousin, namely, Ganesh Rai and on 05.11.2024 also, he stayed with him. It is further alleged that the informant is having land dispute with the petitioner and there had been a quarrel between them ten days ago wherein, the petitioner has threatened him of dire consequences. Later on, the



dead body of the deceased was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that there is no direct or indirect allegation or even evidence against him. The case of the prosecution is completely based on suspicion. It is clear from the FIR that nobody is the eye witness of the alleged occurrence and as per the case of the prosecution, the deceased has stayed with his cousin on 05.11.2024 but his cousin has not made any complaint. It has further been submitted that save and except suspicion and there is land dispute between the parties, there is nothing against this petitioner. It has also been submitted that Ganesh Rai with whom the deceased has stayed and with whom, he was claimed to be last seen, has already been granted bail by learned co-ordinate Bench of this court vide Cr. Misc. No. 88421 of 2025. Moreover, the petitioner is languishing in judicial custody since 28.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patepur P.S. Case No. 343 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Vaishali at Hajipur.

(Ashok Kumar Pandey, J)

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