

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47516 of 2026

Arising Out of PS. Case No.-324 Year-2023 Thana- BHAGWAN BAZAR District- Saran

Rajesh Rai @ Rajesh Kumar Rai, Male Son of Shankar Rai, Resident of Village Ajaibganj, P.S.- Bhagwan Bazar, District- Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhagya Narayan Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 10-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bhagwan Bazar PS Case No. 324 of 2023 instituted for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

3. This is the 2nd attempt for regular bail. Earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Misc. No. 13298 of 2024 vide order dated 11.03.2024.

4. As per the prosecution case, accused persons assaulted the brother of the informant due to which he died.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to land dispute going on



between the parties. He next submits that there is ornamental allegation against this petitioner that he has assaulted the brother of the informant. Petitioner has got no criminal antecedent as stated in para-3 of the petition and is in custody since 04.09.2023.

6. Learned APP for the State vehemently opposed the prayer for regular bail of the petitioner.

7. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-II, Saran at Chapra dated 20.05.2026, it appears that allegation against this petitioner is specific that petitioner assaulted the brother of the informant, who died. All the accused persons assaulted by brick, hit on his forehead and informant's brother Birju Ray fell down then Bunty Ray and Vikash Rai hit on the head with a Farsa blow due to which his brother's skull came out and other co-accused persons including the petitioner also assaulted by spade and sticks. Similarly situated co-accused persons namely Banti Rai @ Ritesh Rai @ Nitesh Rai, Vikas Rai @ Vikesh Rai @ Vikas Kumar @ Vikas Kumar as well as Shankar Rai have been granted regular bail by this Court and a Bench of this Court in Cr. Misc. Nos. 2127 of 2026 and 13938 of 2026 vide orders dated 26.02.2026 and 15.05.2026 respectively, so considering



all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the petitioner.

8. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 324 2023.

(Ramesh Chand Malviya, J)

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