

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59573 of 2025

Arising Out of PS. Case No.-140 Year-2001 Thana- BAKHTIYARPUR District- Patna

Baldeo Rai Son of Late Ras Bihari Rai Resident of village - Chiraiya, P.S.-
Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Prakash, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 16-01-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 140 of 2001, instituted for the offences punishable under Sections 147, 148m 149, 379, 307, 302, 385 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons armed with gun and bhala, entered the Atta Chakki mill and started abusing and assaulting the informant. It is further alleged that co-accused Arjun Rai fired upon the informant due to which he sustained injuries on his right leg, whereas co-accused Nawal Rai fired upon Jawahar



Rai due to which he sustained injuries and later on, died in course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no specific allegation of firing has been attributed against the petitioner. Name of the petitioner has transpired in this case as an order giver. Specific allegation of firing has been attributed against co-accused, namely, Nawal Rai and Jawahar Rai. The petitioner is in custody since 25.05.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 03.12.2024 passed in Cr. Misc. No. 10320 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bakhtiyarpur P.S. Case No. 140 of 2001, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(IV) The petitioner will not leave the territorial jurisdiction of the Court below without its prior permission for the same.

(Rudra Prakash Mishra, J)

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