**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.67698 of 2026**

**CNR No. BRHC010932672026**

Arising Out of PS. Case No.-45 Year-1993 Thana- MASAUDHI District- Patna

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Ramekwal Mochi @ Madhirjee @ Ram Ekbal Mochi S/O Late Chandradeep Ravidas Resident of Village- Dighma, P.S- Masaurhi, District- Patna.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**

ORAL ORDER

3 04-11-2026 Heard the parties.

2. The petitioner seeks bail in connection with Masaurhi P.S. Case No. 45 of 1993 registered for the offence under Sections 147, 148, 149, 452, 436, 364, 323, 324, 307, 302 of the I.P.C. and Section 27 of Arms Act.

3. The petitioner is not named in the F.I.R. and is in custody since 18.07.2025.

4. The case relates to a carnage where during the occurrence, 6 persons were killed and several houses were burnt.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not aware about his

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implication with present crime in question. Even at no point of time any warrant or process was served upon. It is submitted that out of sudden he was arrested on 18.07.2025 by the police.

6. Arguing further it is submitted by learned counsel that occurrence is of the year 1993 and now this petitioner is 90 years old ill person. It is pointed out that during investigation only in para 22 and 25, witnesses while recording their statement under section 161 of Cr.P.C., named this petitioner that he was seen as part of mob without speaking any overt act, which may suggest his actual involvement. It is pointed out that considering all such aspects several co-accused namely, Ravindra Pandit and Kaulesh Mahto were granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 25855 of 2008 vide order dated 30.07.2008 and Cr. Misc. No. 39060 of 2008 vide order dated 16.10.2008 respectively and therefore, as a matter of parity this petitioner also deserves bail who remains in custody for more than 1 year. It is further submitted that several other co-accused persons

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after facing the trial have already been acquitted and in this matter also charge have been framed till now without examining any single prosecution witness, suggesting that the trial is not likely to be concluded in near future and in all such background keeping 90 years old ill person behind the bar would not serve any purpose of justice.

7. While concluding the argument, it is submitted that petitioner found involved in four more criminal cases where he is on bail and moreover, investigation of this case has already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

8. Learned APP while opposing the prayer of bail could not disputed the aforesaid factual submission.

9. In view of aforesaid factual submission and by taking note of nature of allegation against petitioner that he was only the part of the mob, coupled with fact as investigation of this case has already concluded, wherein petitioner remains in custody for more than one year i.e., since 18.07.2025, accordingly petitioner above named, is

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directed to be released on bail in connection with Masaurhi P.S. Case No. 45 of 1993 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ II, Masaurhi, Patna /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS, subject to condition that:-

*(i) That petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.*

**(Chandra Shekhar Jha, J)**

Sudha/-

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