

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70884 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- MALI District- Aurangabad

Rahul Singh Rajput S/o- Mr. Shiv Bahadur Singh R/v- Chour PS- Rampur
Dist- Jaunpur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the State	:	Mr. Md. Matloob Rab, APP
For the Informant	:	Mr. Pramendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 21-01-2026 Heard learned counsel appearing for the petitioner,

learned counsel appearing for the informant and the learned

Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in Mali P.S. Case No. 222 of 2024 dated 01-12-2024 registered under Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that while the informant was traveling with his father on 30-11-2024 in a four-wheeler near Sonaura bridge, two motorcycles on which the accused persons were riding intercepted them. The pillion rider of one motorcycle shot his father killing him on the spot. The



informant identified Rakesh Giri and Mantu Yadav as the assailants and Kamlesh Mehta and Sanjay Giri were on the other motorcycle; both drivers, wearing helmets, could not be identified. It is further alleged that the co-accused, Rakesh Giri, threatened the informant, who ran towards a paddy field as the accused fired thrice at him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner's name does not appear in the First Information Report; rather, he has been implicated only on the basis of the confessional statement of co-accused, Rakesh Giri due to the petitioner's past criminal history. It is further submitted that the specific allegation of firing on the deceased is directed only against the co-accused Rakesh Giri and Mantu Yadav. The informant claims to be the eyewitness of the occurrence and there is no whisper in the FIR about three persons allegedly causing gun shot injury to the deceased. Learned counsel further submits that one of the principal assailant, Mantu Yadav @ Pintu Kumar, has already been granted bail by a Co-ordinate Bench of this Court vide order dated 27.11.2025 in Cr. Misc. No. 65143 of 2025. Other co-accused, namely Sanjay Giri, Satyajit Giri, Santosh Kumar



Yadav and Kamendra Kumar Singh, have also been granted bail by the Co-ordinate Bench of this Court on 16.07.2025, 30.07.2025, 12.08.2025 and 16.07.2025 in Cr. Misc. Nos. 15961 of 2025, 21742 of 2025, 32652 of 2025 and 19270 of 2025 respectively, which have been annexed as Annexure-2 series to the bail petition. Lastly, it is submitted that the petitioner has been in custody since 08.05.2025 and has 31 criminal cases pending against him, in all of which he is on bail.

5. Learned counsel for the informant and the Additional Public Prosecutor vehemently opposed the prayer and submitted that the co-accused Rakesh Giri who is the main assailant has stated in his confession that he along with the petitioner killed the deceased with a firearm. It is further submitted that the petitioner is a contract killer and 31 criminal cases are pending against him.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IX, Aurangabad, in connection with Mali P.S. Case No. 222 of 2024, subject to the following conditions :-(i) that the



petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till conclusion of the trial.

7. The application stands allowed.

(Khatim Reza, J)

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