

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74658 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- BARAHAT District- Banka

Munna Rai @ Munna Kumar Ray S/O Satish Rai @ Chhatish Ray Resident
of Village - Muluk, P.S- Barahat, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha, Advocate

For the State : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-01-2026 Heard Mr. Subodh Kumar Jha, learned counsel for
the petitioner and Mr. Humayou Ahmad Khan, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
29.05.2025, in connection with Barahat P.S. Case No. 142 of
2025, F.I.R. dated 16.05.2025 registered for the offences
punishable under Sections 126(2), 115(2), 109(1), 352, 3(5) of
the B.N.S., 2023 and Section 25(1-b)a, 26, 27, 35 of the Arms
Act.

3. Allegation against the petitioner is that he fired gun
shot on the victim due to which he received gun shot injury on
left shoulder.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. The present case is counter blast of Barahat P.S. Case No. 143 of 2025. He further submits that although the petitioner is named in the F.I.R. and there is specific allegation against the petitioner that he has fired upon the victim but the statement of victim which was recorded in paragraph-35 of the case diary in which he has not stated the name of the petitioner but he has stated that someone has fired upon him. He further submits that co-accused person namely Niranjan Yadav has been granted anticipatory bail by this Court vide order dated 18.11.2025 passed in Cr. Misc. No. 75615 of 2025, another co-accused person namely Ram Sharan Choudhary has been granted regular bail by a Coordinate Bench of this Court vide order dated 03.12.2025 passed in Cr. Misc. No. 81567 of 2025 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.05.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.



6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the victim has not stated anything about the petitioner and the other co-accused persons have been granted bail by this Court or by a Coordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Barahat P.S. Case No. 142 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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