IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75925 of 2026

CNR No. BRHC011087812026

Arising Out of PS. Case No.-543 Year-2026 Thana- BARH District- Patna

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1. Mahavir Ray S/o Jaichand Rai R/o Village - Jalgovind, P.S - Barh, District - Patna
2. Umesh Ray S/o Jaichand Rai R/o Village - Jalgovind, P.S - Barh, District - Patna

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Siddharth Harsh, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. for the State.

2. The accused/petitioners seek bail in connection with Barh P.S. Case No. 543 of 2026 registered for the offences under Sections 61(1), 109(1), 308(5), 352, 351(2) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioners are named in the First Information Report and are in custody since 18.08.2026.

4. As per FIR, co-accused persons including petitioner joined the occurrence on the call of one Kanhaiya

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Pandey with whom the informant was in land dispute. It is alleged that co-accused Jitendra Ray and Sujeet Ray under conspiracy with this petitioner opened firing during the occurrence upon the informant.

5. It is submitted by learned counsel appearing on behalf of the petitioners that allegation of firing is specifically available against Jitendra Ray and Sujeet Ray, who are not petitioner for the present and as these petitioners are the brother of Jitendra Ray, they were implicated in the present case without having any cogent reason.

6. While concluding argument, it is submitted that petitioners are the men of clean antecedent and, moreover, investigation of this case has already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

8. In view of aforesaid factual submission and by taking note of the fact as allegation of firing *prima facie* not appears available against these petitioners, coupled with the

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fact that investigation of this case has already concluded, wherein petitioners, who are the men of clean antecedent, remains in custody since 18.08.2026, accordingly, both above-named petitioners are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, Patna/concerned court, in connection with Barh P.S. Case No. 543 of 2026, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

Rajeev/-

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