

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77584 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- SAHAR District- Bhojpur

Priyanshu Rai @ Priyanshu Kumar S/o- Deepak Ray @ Deepak Rai R/v-
Perhap Ps- Sahar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ravi Shankar Roy
For the Opposite Party/s :	Mr.Shailendra Kumar, APP
	Mr. Saumya, Adv
	Mr. Suryajit Prakash
	Mr. Avinash Raj
	Mr. Shantam Shivam
	Ms. Alankrita Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-02-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in connection with Sahar P.S. Case No. 166 of 2024, registered for the offences punishable under Sections 103(1), 109, 190, 191(2), 191(3) and 61(2) of BNS and Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that 09.09.2024 at about 8.00 A.M. her husband Kamlesh Rai along with her brother-in-law (Devar) Manoranjan were going to Civil Court, Ara, on a motorcycle and her husband was sitting as a pillion and the informant was also coming from behind and



when they reached near the house of Tuntun Rai, accused Priyanshu started indiscriminate firing and thereafter Nandu, Chhotak, Murari and Deepak also started firing from their country-made pistol, it is next alleged that Sumant and Parmatma, who are lodged in jail, had hatched the conspiracy to eliminate her husband, it is further alleged that Pawan, Suraj, Puja, Kiran, Kanti, Tuntun, Jeetendra and Bholu were involved in hatching conspiracy to kill her husband and Bholu @ Shubham Rai also fired from his country-made pistol on her husband and fled on an Apache motorcycle.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, who is not an eye-witness to the occurrence. It is next submitted that it is specifically alleged that her husband along with his brother Manoranjan were going to civil court and her husband was sitting as a pillion when this petitioner started indiscriminate firing and thereafter other accused also fired leading to death of her husband, but then it is submitted that had an indiscriminate firing been resorted to by the accused persons in that event Manoranjan, who was driving the motorcycle, would also have sustained injury, but then that is not the case. It is also submitted that statement of Manoranjan was not recorded



by the police during the course of investigation. It is next submitted that petitioner and the informant are agnates and are having dispute relating to property, as such the petitioner has been implicated with a view to coerce him and his family into submission. It is further submitted that though allegation is of indiscriminate firing, but then only three injuries were found on the body of the deceased, i.e., Kamlesh. It is reiterated and submitted that informant does not appear to be a credible eye-witness and it absolutely does not stand to reason that as to why the statement of Manoranjan was not recorded by the police during the course of investigation, when he was a material witness.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner. Learned counsel appearing on behalf of the informant submits that this petitioner along with Deepak and Sonu are alleged to have fired at Aditya, son of the informant, and in the said occurrence, the accused persons also fired at Kamlesh, the deceased in the present case, for which Sahar PS Case No. 78 of 2024 came to be registered, but then Kamlesh survived on account of treatment meted out, but his son, Aditya, died during the course of treatment and it was in



connection with Sahar PS Case No. 78 of 2024 that Kamlesh along with his brother, Manoranjan, were going to civil court Ara for deposing as a witness, when the occurrence is alleged to have taken place. It is also submitted that no doubt allegation against rest of the accused persons of firing is general and omnibus in nature, but then from perusal of the allegations as alleged in the FIR, it would manifest that this petitioner is alleged to have started indiscriminate firing causing fire-arm injury to Kamlesh. It is further submitted that since petitioner is also an accused in Sahar PS Case No. 78 of 2024, which is with respect to killing of Aditya, son of Kamlesh and present informant, as such petitioner had the motive also to commit the occurrence of killing of Kamlesh, who was a witness in Sahar PS Case No. 78 of 2024 being informant of the case.

6. Learned counsel appearing on behalf of the petitioner submits that Lal Ray @ Murari Ray had approached this Court seeking anticipatory bail by filing Cr. Misc No. 65511 of 2025 and the same came to be allowed by an order dated 8.10.2025, further Deepak Rai had approached this Court seeking anticipatory bail by filing Cr. Misc No. 21942 of 2025 and the same came to be allowed by an order dated 15.5.2025 passed by a learned Co-ordinate Bench, on which learned



counsel appearing on behalf of the informant submits that case of Lal Ray and Deepak is not akin to the case of petitioner as petitioner in the instant FIR is also alleged to have started indiscriminate firing which led to death of the husband of the informant, it is also submitted that informant is the wife of the deceased and it does not appear probable that being wife the informant would have falsely alleged against the petitioner knowing that he did not start indiscriminate firing leading to the death of her husband.

7. Considering the submission made by learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

