

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83401 of 2025

Arising Out of PS. Case No.-190 Year-2021 Thana- MAKER District- Saran

=====

Bharat Rai @ Bharat Ray Son of Hari Ray @ Harihar Ray R/o Village -
Pirmaker Dihi, Pirmaker, P.S. - Maker, Distt. - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Raghwendra Pratap Singh, Advocate
For the State	:	Mr.Ram Sevak Choudhary, APP
For the Informant	:	Udai Shankar Singh, Advocate
		Ms. Kamy Thakur, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-01-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The present petition is by way of fourth attempt at the
behest of the petitioner for grant of regular bail in connection
with Maker P.S. Case No. 190 of 2021, registered for the
offence punishable under Sections 302, 120B/34 of the Indian
Penal Code, inasmuch as the earlier petitions filed by the
petitioner for grant of bail have all stood rejected by this Court.

3. The case of the prosecution in brief is that on 08.10.2021
at about 10:00 in the morning, one Anshu Kumar @ Doman Ray
had called the son of the informant on his mobile phone and had
told him to come near the Shiv Temple, whereafter the son of
the informant alongwith others had gone to the alleged place of



occurrence, where the petitioner and his other accomplice were present. It is further alleged that an altercation had taken place amongst the parties and then the petitioner had taken out a pistol from his waist and fired gun shots on the son of the informant namely Dibesh Kumar, resulting in his death.

4. The learned counsel for the petitioner submits that the petitioner is languishing in custody since 10.01.2022, hence a sympathetic view be taken and the petitioner be granted bail.

5. *Per contra*, the learned APP for the State as also the learned counsel appearing for the informant have vehemently opposed the prayer for bail and have submitted that in the earlier order of this Court dated 04.01.2023, the entire aspect of the matter has been considered in great detail, wherein it has been *prima facie* observed that the materials available on record show that the son of the informant has been killed by the petitioner, who had fired gun shots on him, hence no sympathy should be shown to the petitioner.

6. This Court had called for a report from the learned Trial Court vide order dated 28.11.2025 with regard to the present stage of the trial, pursuant whereof the learned Court of Additional District and Sessions Judge-XVII, Saran at Chapra had sent a report dated 04.12.2025, wherein it has been stated



that only the Doctor and the Investigating Officer are remaining to be examined as prosecution’s witnesses and summons have already been issued to them.

7. In such view of the matter, finding that there is no change in circumstance so as to warrant re-consideration of the prayer of the petitioner for grant of regular bail, especially in view of the fact that the petitioner is *prima facie* involved in killing the son of the informant, I do not find any merit in the present petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

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

