

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86597 of 2025**

Arising Out of PS. Case No.-854 Year-2023 Thana- NAUBATPUR District- Patna

Jay Prakash Ray @ Chhotaka @ Jay Prakash Kumar S/o Mundrika Ray @  
Munarik Ray R/o Village - Karanpura, P.S - Naubatpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Laliteshwar Prasad Sharma, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      13-01-2026      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 364 and 34 of the Indian Penal Code.

3. The case of the prosecution, in brief, is that on 02.12.2023 Chotka @ Jai Prakash Ray son of Munarik Ray come to the house of the informant and stated that there was a marriage of his brother-in-law and that certain articles were to be purchased in connection therewith. On this pretext, the father of the informant went with the petitioner, his wife and his brother-in-law. On 12.12.2023, the petitioner and his wife returned home but the father of the informant did not return. When the informant asked regarding his father, the petitioner



and his wife disclosed that he was not with them. The informant suspects that the petitioner along with others has killed his father.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted from a bare perusal of the FIR, it is clear that the allegation is based merely on the suspicion of the informant and rests solely on the last seen theory. It is contended that the alleged occurrence took place on 12.12.2023 whereas the FIR was lodged on 18.12.2023 and no explanation has been furnished by the informant for delay in lodging the FIR. It is further contended that earlier the bail petition of this petitioner was rejected with an observation that “ *the petitioner is at liberty to renew his prayer for bail, if the trial is not concluded within the stipulated period*”. The learned trial Court vide its report has stated that if both parties co-operate, the trial is likely to be concluded within six months. However, the said period of six month has already lapsed and the petitioner is languishing in judicial for the last two years.

5. Learned counsel for the petitioner has also placed on record the entire order sheet of the trial Court which goes to show that the trial has still not been concluded.



6. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Naubatpur P.S. Case No. 854 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II, Danapur with the condition that the petitioner shall co-operate in the trial and shall remain present himself on each and every date fixed by the trial court until the disposal of the case.

**(Ashok Kumar Pandey, J)**

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