

In the Court of Sessions Judge, East Champaran at Motihari

Present:-

Abhishek K. Das,
Sessions Judge,
East Champaran at Motihari

Bail Petition No.481 of 2026

1. Naresh Rai, S/o- Laxuman Rai, aged about 46 years

Resident of village- Mustafapur, P.S.-Ahiyapur, District- Muzaffarpur

----- Petitioner

Versus

The State of Bihar

----- Opposite party.

Counsel for the Petitioner :- Sri Nitesh Kr. Shrivastava, Advocate.

Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

18-03-2026

This bail petition is filed on behalf of the above-named petitioner-accused Naresh Rai, who is in custody since 28-01-2026 in connection with Rajepur P.S. Case No.129 of 2014 u/s 364, 120(B) and 302/34 of the I.P.C.

The prosecution case, in brief, is that the second son of informant, namely, Kavindra Rai was married with Kamaljeet Devi D/o Shivbalak Rai in the year 2009. Since three months, the daughter-in-law of informant was residing at her maika and she called Kavindra Rai there. Thereafter, on 10-10-2024 the son of informant Kavindra Rai went there, but he did not return back after lapse of 5-6 days. Then the informant along with his another son, namely, Sachin Kumar went to the house of his daughter-in-law, where she stated Kavindra Rai did not come here. The informant claims that all the F.I.R. named accused persons, in criminal conspiracy with each other, have kidnapped his son with intention to kill him.

In para-2 of the bail petition, it is mentioned that no other anticipatory or regular bail petition has been filed either in this Court or before the Hon'ble High Court, Patna. In para-3 of the bail petition, it is mentioned that petitioner has no criminal antecedent and in para-4, it is mentioned that petitioner is in custody since 28-01-2026.

The learned counsel for the petitioner-accused has submitted that this petitioner-accused is innocent and he has committed no offence, as alleged and has falsely been implicated in this case at the instance of his enemies. It is further

submitted that the petitioner is not named accused in the F.I.R. and at the time of occurrence, he was hospitalized in Muzaffapur. The name of petitioner surfaced in this case from the confessional statement of co-accused. The petitioner is a paralyzed person. On these basis, it is prayed to allow this bail petition.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail of this petitioner-accused on the basis of materials available in the case diary.

Heard both sides and perused the certified copy of F.I.R. as well as case diary. Though the petitioner is unnamed, the allegation against him is that he along with others have committed murder of informant's son Kavindra Rai. Co-accused Yasoda Devi and Sachiv Kumar in their confession mentioned in para-50 and 31 of the case diary, have stated about the involvement of petitioner as *fufera bhai* of co-accused Kamaljeet in commission of murder of Kavindra Rai. As per para-53 of the supplementary case diary also, the petitioner is involvement in this case. As per para-155 of the supplementary case diary, investigation of the case is still going on.

Considering all these facts, as discussed above, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner-accused, namely, **Naresh Rai** stands **rejected**.

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
18-03-2026