

In the Court of Additional Sessions Judge-V, Muzaffarpur

Bail Petition No. 279/2026

(Arising out of Ahiyapur P.S. Case No. 739/2024)

In the matter of:

Ramesh Rai s/o Chandeshwar Rai@Bindeshwar Rai

Village-Mustafapur, P.S.-Ahiyapur

Dist.-Muzaffarpur

.....Petitioner(s)

Versus

State of Bihar

..... Opposite Party

Appearance(s)

Counsel for the Petitioner(s) : V P Kaushik, Advocate.

Monu K Yadav, Advocate.

Counsel for the State : Sadhusharan Prasad, Addl. PP.

Present: Suman Kumar Divakar
Bihar Superior Judicial Service

Order

04-04-2026

1. The Petitioner is praying for regular bail in connection with Ahiyapur P.S. Case No. 739/2024 registered for the offence under section 147, 148, 149, 341, 323, 307, 302, 447, 04, 506 of Indian Penal Code, 1860 (hereinafter referred to as 'IPC' for short). The Petitioner has been in judicial custody since 22-01-2026.
2. Briefly stated, the Informant namely Jailas Devi has alleged that the Petitioner along with co-accused persons caused murder of his son Digvijay Rai (since deceased) and made her husband Devendra Rai injured in same transaction. The specific allegation against the petitioner that he assaulted the husband of the Informant apart from ensuring his participation and sharing common object in murder of his son.
3. Learned Counsel for the Petitioner submits that he is an innocent. There is specific submission with emphasis that if at all any offence is made out allegedly against the Petitioner, that is, an offence under section 307 IPC. It is for the reason that there is no allegation of causing assault against the petitioner upon the deceased. Being disciplined citizen, he himself surrendered before the court. He has no criminal antecedent. In wake of such submissions, he prays for bail.

4. Learned Additional Public Prosecutor has opposed the prayer so made on behalf of the petitioner.
5. Heard the parties. Considered the submissions. Perused the material on record including trial court record. It appears from the FIR that the petitioner is named therein. There is direct allegation of participation and making overt act against him wherein one person allegedly murdered and another made injured. Postmortem report reveals that the deceased died by reason of head injury. The Injured Devendra Rai too had sustained head injury being grievous in nature caused by hard and blunt substance (please see paragraph '63' of the case diary). Thus, primarily the allegation made in the FIR finds support from the medical evidence for the time being.
6. In view of above and further, considering the nature and gravity of the offence coupled with punishment provided therein, I am not inclined to enlarge the petitioner on bail. In the result, the present petition stands **dismissed**.

(Suman Kumar Divakar)
Additional Sessions Judge-V
Muzaffarpur