

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29616 of 2024**

Arising Out of PS. Case No.-166 Year-2021 Thana- BAHADURPUR District- Patna

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Aniket Kumar @ Bittu Kumar Son of Ganauri Paswan, Resident of Rampur,  
P.S.- Bahadurpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      23-08-2024                      The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Bahadurpur P.S. Case No. 166 of 2021, arising out of S. Trial No. 286 of 2023, registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

2.                      The deceased brother of the informant, namely, vishnu Kumar, used to stay at Ambedkar hostel and was posted as Ward Surveyor and used to help the students in cooking food. It is the averment of the informant that at 10:30 p.m. in the night on 31.7.2021, he received information that



somebody has shot dead his brother in his room and he has been taken to N.M.C.H., Patna, however, he subsequently came to know that the doctor had declared him dead.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been languishing in custody since 25.08.2021 without there being any progress in the ongoing trial, hence the petitioner be granted the privilege of bail.

4. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that the earlier order of this Court dated 07.02.2023 is a detailed order wherein this Court had succinctly analyzed the materials available in the case diary and had come to a *prima facie* finding that there are ample materials on record to show that the petitioner had committed the gruesome murder of the deceased, apart from there being eye witnesses to the said occurrence.

5. Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has been *prima facie* found to have committed the gruesome murder of the deceased, apart from the fact that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, I am not inclined to grant bail to the petitioner, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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