

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41370 of 2024**

Arising Out of PS. Case No.-95 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Pankaj Kumar Son of Satish Kumar Chaudhary R/O Vill.- Bihta, P.S.-  
Shikhpura (Hathiyawan), Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 42015 of 2024**

Arising Out of PS. Case No.-95 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Rahul Kumar Son Of Baleshwar Chaudhari @ Baleshwar Choudhary  
Resident of village -Bihata PS -Sheikhpura District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 41370 of 2024)  
For the Petitioner/s : Mr. Bipin Kumar, Advocate  
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP  
For the Informant : Mr. Anil Kumar Singh, Advocate  
(In CRIMINAL MISCELLANEOUS No. 42015 of 2024)  
For the Petitioner/s : Mr. Abhishek Anand, Advocate  
Ms. Madhuri Kumari, Advocate  
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP  
For the Informant : Mr. Anil Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      20-09-2024                      Heard learned counsel for the petitioners, learned  
  
APP for the State, learned counsel for the informant and perused  
  
the case diary.

2. The petitioners seek bail in Sheikhpura P.S. Case  
No. 95 of 2024, instituted for the offences punishable under



Sections 363, 365 of the Indian Penal Code and later on Section 302 was added.

3. The prosecution case, in short, is that, son of the informant received an unknown call and left the house, till then son of the informant did not return to his house and was murdered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners are not named in the F.I.R. Name of the petitioner in Cr. Misc. No. 41370 of 2024 has transpired on the basis of confessional statement of co-accused Rahul Kumar and name of the petitioner in Cr. Misc. No. 42015 of 2024 has transpired on the basis of confessional statement of co-accused Pankaj Kumar which has got no evidentiary value. Both the petitioners are in custody since 21.02.2024 and have got no criminal antecedent.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for grant of bail to the petitioners. Learned APP for the State also submits



that the petitioners are fully involved in the alleged crime. Petitioners along with other co-accused persons have murdered the informant's son Sahil Kumar. Hence, the petitioners do not deserve the privilege of grant of bail. Learned counsel for the informant further submits that earlier regular bail of similarly situated co-accused have been rejected by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 39299 of 2024.

6. Considering the aforesaid facts and circumstances of the case, gravity as well as nature of allegations, this Court is not inclined to grant bail to the petitioners.

7. The prayer is rejected.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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