

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64297 of 2024**

Arising Out of PS. Case No.-243 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Abhishek Kumar, S/o Nagendra Das @ Nagendar Das R/o Village -  
Nawanagar Nijamat, PS- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Yugal Kishore                  |
| For the State        | : | Mr. Chandra Bhushan Prasad- A.P.P. |
| For the informant    | : | Mr. Upendra Kumar Chaubey          |
|                      |   | Mr. Awadhesh Kumar                 |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      17-10-2024                      1. Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that his son (deceased) works at Arunachal Pradesh and on 05.05.2024, he had come home and used to roam around with Kamlesh. Further, on 12.05.2024 at 11.00 A.M., Kamlesh took his son on a motorcycle for roaming around, but at 1.30 P.M., the Chaukidar informed that his son has been shot at the High School and has been taken to the



hospital. Accordingly, he reached the hospital where his son was declared dead by the doctor. It is next alleged that Vicky, Ravi and petitioner always stay with Kamlesh, thus alleges that based on suspicion, the accused were involved in killing of his son.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case based on suspicion. It is next submitted that neither the Chaukidar nor the informant are an eye witness to the occurrence, the entire allegation hinges around suspicion. It is further submitted that son of Sanjay Singh was murdered by the deceased for which Sadar P. S. Case No.225 of 2013 was instituted against the informant and others in which family members of petitioner are witness i.e. in Sadar P. S. Case No.225 of 20213 and the trial of the case is in an advanced stage. It is further submitted that Rohit was arrested, who confessed that he along with Niraj and Sudhanshu had fired at the deceased, thereafter, Sudhanshu was also arrested and he also confessed that he along with Niraj killed the deceased and Rohit was involved in the occurrence. The learned counsel submits that neither Rohit nor Sudhanshu have alleged anything against the petitioner about his involvement in the occurrence. It is also submitted that petitioner will not abscond rather will cooperate in the



investigation to prove his innocence.

5. Learned A.P.P. Sri Chandra Bhushan Prasad as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court No.4, J.M.F.C., West, Muzaffarpur in connection with Sahebganj P. S. Case No.243 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.



9. Let a copy of this order be sent to the concerned  
Police Station through the learned trial Court.

(Satyavrat Verma, J)

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

