

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5715 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- PUNPUN District- Patna

Shiv Kumar S/o- Ram Prasad Sao Resident of Darveshpur PS- Maner, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sn Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Punpun P.S. Case No. 202 of 2024 instituted for the offences under Section 140(3) of the BNS.

3. Prosecution case, in short, is that, on the alleged date and time, the informant's husband, who worked as a driver, left for Ranchi with his vehicle for dropping passengers, but he went missing and next morning his mobile phone got switched off.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case on the basis of confessional statement of the co-accused Nagendra Kumar. Learned counsel further submitted that the petitioner is being dragged in this case merely because he had booked the vehicle of the deceased on fare and had also paid to him. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that as per material available in the case diary, this petitioner in connivance with co-accused Nagendra Kumar hatched a conspiracy to commit loot and murder of the deceased by booking the vehicle of the deceased on rent. He further submitted that this petitioner has himself confessed his guilt and specifically narrated the manner in which he along with co-accused Nagendra Kumar committed the murder of the deceased which is substantiated by the post-mortem report. Police after investigation submitted charge-sheet under Sections 140(1), 103(1), 309(6), 238, 336(2), 340(2), 3(5) of the BNS and Section 27 of the Arms Act.

6. Considering the aforesaid facts and circumstances of the case, there being ample material against the petitioner in



the case diary, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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