

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5579 of 2025

Arising Out of PS. Case No.-406 Year-2024 Thana- PARSABAZAR District- Patna

Vicky Kumar S/O Santosh Kumar @ Advance @ Santosh Resident of
Village- Rahimpur Parsa Bazar Station Mahmadpur west of Railway line, P.S-
Parsa Bazar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6712 of 2025

Arising Out of PS. Case No.-406 Year-2024 Thana- PARSABAZAR District- Patna

Sunny Kumar S/O Late Shyamji Prasad @ Shyamji Ram R/O Village-
Khaprail Chawk, P.S- Parsa Bazar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 5579 of 2025)

For the Petitioner/s : Mrs.Usha Kumari Singh, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

(In CRIMINAL MISCELLANEOUS No. 6712 of 2025)

For the Petitioner/s : Mr.Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-05-2025 Since both the petitions arise out of Parsa Bazar P.S.

Case No. 406 of 2024, as such, they have been taken up together

and are being disposed of by this common order.

2. Heard learned counsels for the petitioners and



learned APP for the State.

3. In the present case, the petitioners seek bail in connection with Parsa Bazar P.S. Case No. 406 of 2024 registered for the alleged offences under Section 140(3), 103(1) and 61(2)(k) of the B.N.S.

4. As per prosecution case, brother of the informant went out with the petitioners but did not return and his dead body was recovered from the bushes.

5. Learned counsels for the petitioners submit that the petitioners are innocent and have been falsely implicated in this case. Except for suspicion, there is nothing against the petitioners. Even during investigation, police did not recover any incriminating material to connect the petitioners with the offence as alleged. The petitioners have been named in this case due to the fact that they accompanied the deceased on the date of occurrence. But there is no direct evidence on record to implicate the petitioners for doing any wrongful act. The petitioners have been made accused merely on surmises and conjectures. Petitioners are in custody since 30.08.2024 and 02.09.2024, respectively and charge-sheet has been submitted. Petitioners are having clean antecedent.

6. Learned APP appearing on behalf of State opposes



the submission made on behalf of the petitioners. Learned APP submits that petitioners were last seen with the deceased prior to his death.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of any substantive material against the petitioners to connect them with the offence as alleged and further considering the clean antecedent of the petitioners along with their period of custody and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna/concerned court in connection with Parsa Bazar P.S. Case No. 406 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail



bonds of the petitioners will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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