

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4495 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- TATARPUR District- Bhagalpur

Amit Kumar Singh @ Amit Mandal @ Amit Kumar S/o Motilal Mandal R/o
Village- Lal Kothi, P.S.- Tatarpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dilip Kumar, Adv.
For the Opposite Party/s	:	Mr.Parmanand Kumar, APP
For the Informant	:	Mr. Samir Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 24-04-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with
Sessions Trial No. 851 of 2024 arising out of Tatarpur P.S. Case
No. 125 of 2024 instituted for the offences under Section
103(1) of the Bhartiya Nyaya Sanhita, 2023 and later on added
Section 61 of the B.N.S. and Sections 25(1-B)a, 26, 35 of the
Arms Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of the Informant's son namely Raunak Kedia.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case only on the basis of suspicion as also police mechanism. The petitioner is not named in the F.I.R. and his name has transpired in course of investigation on the basis of the disclosures made by the spy. The petitioner was arrested on the basis of the Call Detail Report and his statement was recorded before the police in which he confessed his guilt of participating in the alleged occurrence. Except confessional statement, there is nothing adverse against the petitioner in the entire record of this case. The confessional statement of the petitioner recorded before the police has no evidentiary value in the eye of law. Learned counsel for the petitioner further submits that there is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature rather the specific allegation of killing the deceased is on Dilkhush. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Informant in re-statement contained in Para-14 has witnesses at Para 15, 16, 17, 18 have supported the prosecution



case. Para-89 of the case diary contains the confessional statement of the petitioner in which he has confessed his guilt of being involved in the alleged occurrence. The postmortem report also supports the prosecution case. He further submits that after submission of charge-sheet, the learned court below has taken cognizance u/s 103(1)/61/3(5) of the B.N.S. and Section 25(1-B)a/26/27/35 of the Arms Act and the record has been committed to the learned Sessions Court.

6. Learned counsel for the Informant submits that the trial is in progress and, up till now, two witnesses have been examined.

7. Having heard learned counsel for the parties and considering the entire facts and circumstances of the case as also the nature and gravity of the offence coupled with the fact that the trial is already in progress, this Court is not inclined to grant bail to the petitioner at this stage.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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