

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3655 of 2025

Arising Out of PS. Case No.-641 Year-2024 Thana- SIKARPUR District- West Champaran

Vikky Paswan S/o- Yado Paswan Resident of Pipra Diuliya PS- Sikarpur
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Fazle Karim, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP
For the Informant	:	Mr. Shahbaj Alam, Advocate

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

ORAL ORDER

4 27-06-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner apprehends arrest in connection with
Shikarpur P.S. Case No. 641 of 2024, registered under Section
137(2) of the Bharatiya Nyaya Sanhita, 2023 and later on
Sections 103, 238 and 3(5) of the Bharatiya Nyaya Sanhita,
2023 were added.

3. The prosecution case, in short, is that, daughter of
the informant had gone to grocery shop to buy something but
she did not return.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case during course of investigation on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is next submitted that no specific allegation has been attributed against the petitioner. Dead body of informant's daughter was recovered from the flooded field of co-accused, namely, Sheikh Arman. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 28.04.2025 passed in Cr. Misc. No. 4702 of 2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Ashraf. It is further submitted that the witnesses have supported the prosecution case. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.



7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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