

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5936 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- BENIPATTI District- Madhubani

Arjun Kumar Yadav S/O Bechan Yadav R/O Village- Ramnagar, Ward No. 4,
P.S- Shahar Ghat, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Adv. Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the Informant	:	Mr. Ankit Raj, Adv. Mr. P. Kumari, Adv.

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

ORAL ORDER

4 06-05-2025 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 Benipatti P.S. Case No. 246 of 2024 instituted for the offences under Sections 103(1), 61(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

3. As per prosecution case, the accusation against the petitioner is of being involved in committing murder of the Informant's father by firing.

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. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation on the basis of being owner of the mobile no. 9122457077. The police arrested the petitioner and recorded his confessional statement under duress which has no evidentiary value in the eye of law. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and in both of them, he is on bail and is languishing in judicial custody since 24.10.2024 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 petitioner has confessed his guilt of being involved in the alleged occurrence. The postmortem report supports the prosecution case. From Para-101 of the case diary, it appears that several calls were made amongst the petitioner and other co-accused persons. Learned counsel for the Informant further submits that three empty cartridges were also recovered from the place of occurrence. The Investigating Officer, after completion of investigation, has



submitted charge-sheet against the petitioner for offence under Sections 103(1), 61(2) of the B.N.S. and Section 27/35 of the Arms Act. The petitioner has also two criminal antecedents and, hence, he does not deserve bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also the petitioner being a member of the criminal conspiracy, this Court is not inclined to grant bail to the petitioner.

7. 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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