

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5980 of 2025
Arising Out of PS. Case No.-278 Year-2024 Thana- PARAIYA District- Gaya

Satish Kumar, aged about 27 years, male, S/O Madan Prasad, Resident of village- Punakala, P.S- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 103 and 3(5) of the BNS, 2023.

3. As per allegation in the FIR, it is a case of murder of the niece of the informant by the accused persons.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of suspicion. He next submits that the petitioner has not named in the FIR and there is no any connection regarding the aforesaid murder, as such, under Section 103 and 3(5) of the BNS is not attracted against the petitioner as stated in para-11 of the petition. Petitioner is in custody since 12.09.2024 and petitioner has got clean antecedent as stated in para-3 of the petition.



5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, case diary, postmortem report of the deceased and impugned order dated 04.01.2025, it appears in para-27 of the case diary that two conversation with the two mobile numbers 9631901656 belonging to the wife of the deceased but the wife of the deceased stated in para-29 that her mobile used by her husband because mobile of the husband is lost and mobile number 9153756497 belonging to the co-accused Pappu Kumar. It also appears that the confessional statement of the present petitioner has stated that he was not in conversation with the deceased. Petitioner is in custody since 12.09.2024, so considering all aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Kriti, Judicial Magistrate, Ist Class, Gaya/concerned Court in connection with Paraiya P.S. Case No. 278 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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