

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8556 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- GOPALPUR District- Patna

Amit Raj @ Bittu Kumar @ Bittu S/o- Umesh Prasad @ Umesh Rai R/o-
Sabdipur Singhara Kopa P.S.- Bikram District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.N. Shahi, Sr. Adv
: Mr. Manish Kumar, Adv
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 16-04-2025 Heard Mr. P.N. Shahi learned Senior Counsel for the
petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P.S. Case No. 307 of 2024 registered for the offences punishable u/s 103 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution story is based on the typed written statement of the informant, namely, Poonam Devi, who alleged that in the morning between 08:30 and 9:30 A.M., on 30.07.2024, three persons entered the house of the informant and murdered her mother. It is further alleged by the informant that when she heard the sound of firing, she went there and found the co-accused Umesh Rai, Bittu Kumar (petitioner) and Karu @ Pramod fleeing on the motorcycle. The informant has



further alleged that her mother was done to death for a piece of land by the aforesaid three persons and also one Golu Kumar and Resham Devi.

4. Learned Senior counsel for the petitioner has submitted that the petitioner is in no way concerned with the family of the deceased. It is further submitted that Sanjay Kumar (husband of the co-accused, namely, Resham Devi) is the *Mausa* of the petitioner. Learned Senior Counsel has further submitted that during the investigation, even in the CCTV footage, it is not clear that it was the petitioner and other named accused persons who were there. Learned Senior Counsel has also stated that there is a title suit bearing Title Suit No. 390 of 2022 pending between the informant and Sanjay Kumar. It is lastly submitted that the petitioner has clean antecedent as stated in para 3 of the bail petition and is in custody since 01.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail and stated that the petitioner was seen fleeing from the place of occurrence and he is named accused in the FIR and looking at the closeness of the petitioner with Sanjay Kumar, who had a dispute with the informant, it is evident that the petitioner is one of the persons involved in the alleged occurrence.



6. Considering the aforesaid facts and circumstances of the case and taking into account the fact that the police have submitted a final form against similarly situated co-accused, namely, Karu @ Pramod Kumar, an order passed by the Co-ordinate Bench of this Hon'ble Court dated 28.03.2025 passed in Cr. Misc. No. 14172 of 2025 suggests that the anticipatory bail application filed by the aforesaid Karu @ Pramod was withdrawn, submitting that the police has submitted a final form. From the perusal of the case diary, it is clear that the petitioner and the co-accused Karu @ Pramod were similarly situated, and there is nothing on record to suggest that the police during the investigation, have found any evidence to connect the present petitioner with the alleged crime, let the petitioner above-named, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Gopalpur P.S. Case No. 307 of 2024.

7. The application stands allowed.

(Sourendra Pandey, J)

Jyoti/-

U		T	
---	--	---	--

