

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2793 of 2025**

Arising Out of PS. Case No.-773 Year-2023 Thana- SAHPUR District- Patna

Sudhir Kumar S/O Sri Binod Rai @ Vinod Ray R/V- Hetanpur, P.S- Sahpur,  
Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Vijay Kumar Sinha, Advocate |
| For the Opposite Party/s | : | Mr. Sangeeta Sharma, APP        |

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

4      09-05-2025                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner apprehend his arrest in connection with Sahpur P.S. Case No. 773 of 2023, registered under Sections 363, 365, 34 of the Bhartiya Nyaya Sanhita and later on Section 307, 302, 120B has been added.

3. Prosecution story is that the informant, namely, Nityanand Singh, alleged that his 18 years old son, Abhishek Kumar, was in love relationship with Nisha Kumari. It is further alleged that on 14.12.2023, after receiving a phone call from Nisha, Abhishek went missing. The informant suspects that Nisha's relative including the petitioner have abducted his son.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. Petitioner further submits that he has clean antecedent.

5. From perusal of the case diary, it transpired that during investigation through CDR, it was revealed that said Nisha Kumari and the informant's son had 37 calls between them on the alleged time of occurrence. It further transpires that during investigation, co-accused Govinda Kumar was apprehended and his confessional statement was also recorded, in which he confessed his involvement in the alleged occurrence and also told the police that he along with the other co-accused committed murder of the informant's son, Abhishek Kumar as he had love affair with Nisha Kumari and threw his dead body from a bridge in river Ganga. They also assaulted the girl Nisha Kumari severely and also threw her half dead in the river Ganga but any how she was saved. The case diary also shows that co-accused Chandan Kumar and Raju Kumar were in contact with other co-accused at the time of alleged occurrence and place. It also transpires that after investigation, the chargesheet has also been submitted against the co-accused under Section 307, 302, 120(B) of the IPC while further investigation in the case is still going on. The girl was recovered during investigation in which



she told that her material uncle Sudhir Kumar, (petitioner) had killed the informant's son, Abhishek Kumar by strangulation while co-accused Pintu was caught holding him. Her material uncle pressed her neck and she became unconscious and then they threw her in the river Ganga considering her dead. The dead body of informant's son has still not been traced. The investigation against the petitioner is still going on.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for anticipatory bail and submit that there is direct allegation levelled against the petitioner.

7. Considering the serious nature of allegation against the petitioner and gravity of offences, I am not inclined to grant anticipatory bail of the petitioner. Therefore, the prayer for anticipatory bail of this petitioner is rejected.

**(Alok Kumar Sinha, J)**

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