

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11281 of 2025

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

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Ankit Kumar @ Sonu @ Sonu Kumar Son of Arjun Roy @ Arun Ray
Resident of Village- Baranti, P. S.- Raja Pakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
	:	Mr. Rajesh Kumar, Advocate
	:	Mr. Vinod Kumar, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha.1, APP
For the Informant	:	Mr. Ankit Raj, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 12-09-2025 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 the 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. 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 one criminal antecedent and is languishing in judicial custody since 19.11.2024 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.

6. Considering the aforesaid facts and circumstances of the case, except confession, there being no cogent material against the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of



Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Benipatti P.S. Case No. 246 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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