

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10930 of 2025

Arising Out of PS. Case No.-612 Year-2024 Thana- MASAUDHI District- Patna

Mukesh Kumar S/o- Mahesh Prasad Vill- Sariyanagar Ward no. 5 PS-
Gopalganj Town, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Danish Raja, Adv.
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Masaurhi P.S. Case No. 612 of 2024 (G.R. No. 1215 of 2024)
instituted for the offences under Sections 103 and 61 of the
Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner is of being involved in the murder of informant's
husband in a pre-planned manner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and she has been falsely implicated in the
present case with false and frivolous allegations and merely on
the basis of suspicion. The petitioner is not named in the F.I.R.



and his name has transpired in this case on the basis of the confessional statement of the co-accused Adarsh alias Sharad Shri recorded before the police which has no evidentiary value in the eye of law. Save and except confessional statement of the co-accused, there is nothing adverse against the petitioner. The present case is based purely on the circumstantial evidence. Learned counsel for the petitioner further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. Learned counsel for the petitioner further submits that there is no direct or specific allegation against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 21.08.2024 without any rhymes or reason.

5. Learned counsel for the petitioner further submits that the co-accused Priyanka Kumar, Adarsh @ Sharad Sri and Niraj Kumar have already been granted bail by this Court vide orders dated 03.03.2025, 17.03.2025 and 18.03.2025 passed in Cr. Misc. Nos. 86637 of 2024, 13916 of 2025 and 14789 of 2025 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner,



stating that the offence alleged against the petitioner is serious in nature. He Further submits that name of the petitioner has been disclosed on the basis of the confessional statement of the co-accused. The petitioner has also confessed his guilt of being involved in the alleged offence.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Masaurhi P.S. Case No. 612 of 2024 (G.R. No. 1215 of 2024).

(Rudra Prakash Mishra, J)

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