

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19738 of 2025

Arising Out of PS. Case No.-1025 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Atish Kumar @ Chandan Kumar Son of Sanjeev Kumar Verma Resident of
Village - Basauli, Police Station - Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10993 of 2025

Arising Out of PS. Case No.-1025 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Md. Sahil @ Firangzeb S/o Md. Kudus R/o vill - Patiyasa, P.s.- Ahiyapur,
Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 19738 of 2025)

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

(In CRIMINAL MISCELLANEOUS No. 10993 of 2025)

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the State : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 13-05-2025 Both these application are arising from the same P.S.

i.e., Ahiyapur P.S. Case No. 1025 of 2024, therefore, they are

being heard together and are being decided by a common order.

2. Heard learned counsel for the petitioners and
learned APP for the State.

3. The petitioners seek bail in connection with
Ahiyapur P.S. Case No. 1025 of 2024 registered for the offence
punishable under Sections 137(2), 140(1) and 3(5) of the



Bharatiya Nyaya Sanhita to which later on Section 103(1) of the BNS was added.

4. The petitioners have been found involved in the murder of the deceased. They have entered into a conspiracy, called the deceased. To capture the land of the deceased, they have killed the deceased. The bail application of the other co-accused has been rejected by this Court. The petitioner are in custody since 02.08.2024.

5. It has been submitted by learned counsel for the informant that the trial has started and one witness has been examined.

6. Considering the gravity of the offence and in view of the judgment of the Hon'ble Supreme Court in the case of **X vs. State of Rajasthan & Anr.** reported in **2024 SCC Online SC 3539** observing that once the trial has started and the witnesses are being examined, the accused persons should not be granted bail ordinarily, these applications are dismissed.

(Sandeep Kumar, J)

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