

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12030 of 2025

Arising Out of PS. Case No.-393 Year-2024 Thana- BACHHWARA District- Begusarai

Aman Kumar Son of Ramekbal Rai Resident Of Village -Chamtha Laxman
Tol, Ward No 8, PS-Bachhwara, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Bindhayachal Singh, Sr. Adv.
Ms. Nikita Mittal Adv.
Mr. Kumar Awnish Ankit, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP
For the informant : Mr. Rabish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-03-2025 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned Additional Public

Prosecutor for the State.

2. The petitioner apprehends arrest in connection with

Bachhwara P.S. Case No. 393 of 2024 dated 21.11.2024

instituted for the offence punishable under Sections

103(1),115(2), 351/3(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case, in short, is that on

20/21-11-2024 at about 12.45 AM, all the accused persons,

including the petitioner, arrived at the informant's house during

a *Tilak* ceremony and started abusing. Anyhow, they were

pacified and returned from there, but they started breaking the



shutter of the informant's nephew, Rahul Kumar, at Budhan Chowk. On information, when the informant, along with Manish Kumar, Rahul Kumar, and Ankit Kumar, reached the spot, the accused persons allegedly assaulted them with bricks, stones and *lathi*. During the attack, one of the brick pieces hit Manish Kumar, resulting in his death on the spot.

4. Learned senior counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the FIR has been lodged against 10 named accused persons. The allegation against all ten accused persons is that they assaulted the deceased and others with bricks, stones, and *lathi*. It is submitted that one of the brick pieces hit Manish Kumar, due to which, he died on the spot. There is no specific allegation against the petitioner; rather the allegation is general and omnibus in nature. It is submitted that the FIR was lodged after the preparation of the inquest and postmortem reports, with an unexplained delay of 24 hours. Further submission is that the petitioner is a student preparing for competitive examinations. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail



contending that the allegations against the petitioner are serious in nature.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon, furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Begusarai, in Bachhwara P.S. Case No. 393 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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