

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15914 of 2025

Arising Out of PS. Case No.-379 Year-2024 Thana- PARBATTa District- Khagaria

Navneet Kumar Gupta @ Navneet Kumar, aged about 20 years, Male, Son of Mithilesh Gupta, Resident of Village- Harinmar, P.S.- Parbatta, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 01-07-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Parbatta P.S. Case No. 379 of 2024, corresponding to G.R. No. 2926 of 2024 dated 11.09.2024 registered for the offence punishable under Section 140(3) of the B.N.S., 2023.

3. As per the prosecution case, on 08.09.2024 at about 7.00 A.M., the nephew of the informant, namely, Himesh Kumar, had gone to Bhagalpur for his personal work and he telephonically informed that he would reach on 09.09.2024 but he did not return till 11.00 A.M. It is further alleged that the victim Himesh Kumar through his Mobile No. 9334545661 informed that he has come at Karna Chowk and further



requested to send someone at Karna Chowk with bike. The informant disclosed that two boys went at Karna Chowk but they could not find Himesh Kumar. It is further alleged that some unknown called from the mobile of Himesh Kumar and abused and threatened. The informant made hectic search but could not find trace of Himesh Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The petitioner and the victim are the co-villagers and both are of same age group. It is further submitted that the victim went to Bhagalpur for his some personal work and the petitioner gave his mobile set to the victim to get its repaired from Bhagalpur as his mobile set was not properly functioning. It is further submitted that on 10.09.2024, the petitioner was scheduled to travel to Patna to drop his sister to Patna, so in the evening of 09.09.2024, he inquired from the victim about his whereabouts then he informed that he is on the way to home and on arrival at village, he informed his uncle to send some person to bring him from Karna Chowk. It is further submitted that since the petitioner was in need of his repaired mobile, so, he alongwith one co-villager went to bring the victim to home and thereafter



another threatening call was made from the mobile of the victim and the matter was reported to emergency police number 112 and the petitioner alongwith the police party went to Karna Chowk but failed to trace him out. It is further submitted that the informant who is the uncle of the victim on the next day reported the matter about missing of the victim to the police station. It is further submitted that in course of investigation, it has come that the victim had taken loan from many people to play online gambling and lost huge amount and there is every likelihood of some retaliatory action from some other person or alternatively the victim himself concealed him so that he may not pay the loan amount and save himself from repeated demand of money. It is further submitted that on 26.10.2024, the mother of the victim had filed a petition raising suspicion against the petitioner and thereafter he was taken into custody on 26.10.2024. The petitioner is a student of 2nd year Graduation course and he did not have any ill will or enmity with the victim but since he gave his mobile to repair the same from Bhagalpur to the victim who went to Bhagalpur for some personal work, so merely on suspicion, he has been dragged in the present case. It is further submitted that in course of investigation, it has also come that the victim is a person of questionable character and



he was admitted by his family in Cricket Academy at different places outside his native village but he took money from different boys and returned to his home, however, he also took money from many persons in local area who used to demand their money. The petitioner has no concern with the victim boy in his online gaming habit and losing money but he merely on suspicion has been made accused in the present case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 26.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has further submitted that in paragraph nos. 118, 156, 181, 203, 206 and 207 of the case diary, the name of the petitioner has surfaced and the victim is still traceless and could not be recovered till date. The mother of the victim gave an application on 26.10.2024 to the concerned police station stating therein that on 08.09.2024, the petitioner called her son for repairing of his mobile and till 09.09.2024 both were in contact. She also disclosed that the mobile number of her son is shown in the name of the petitioner in the true caller.

6. Considering the aforesaid facts and circumstances of



the case as well as finding substance in the contention of the learned A.P.P. for the State, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Parbatta P.S. Case No. 379 of 2024, corresponding to G.R. No. 2926 of 2024, pending in the court of learned A.C.J.M., Khagaria.

7. The application stands rejected.

8. The learned trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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