

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21139 of 2025

Arising Out of PS. Case No.-501 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Rajesh Kumar S/O Kirani Paswan Resident of Village - Gospur, Tola -
Kalichuak, ward no.- 17 PO and PS Dalsingsarai, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar, Advocate

For the Opposite Party/s : Ms. Heena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with S.T.
No. 462 of 2024 arising out of Dalsingsarai P.S. Case No. 501 of
2023 registered for the offences under Sections 394, 302 and 34
of the Indian Penal Code.

3. The prosecution case in nutshell is that when the
wife of the informant returned home after worshipping at a
temple, a nearby shopkeeper namely Md. Sayeem sent his wife
to the house of the informant and when his wife entered, she
saw that all the domestic items were scattered on floor and the
wife of the informant was lying dead on bed and it appeared that
she was strangulated to death. It was further alleged that a gold
chain, a mobile phone and some money were also missing from



the house of the informant.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has surfaced in the confessional statement of a co-accused namely Parvej Alam. Except the confessional statement of the co-accused there is no material to connect the petitioner with the said incident. It is further submitted that the charge sheet has already been submitted and finally charges have also been framed but, till date no prosecution witness has been examined. Learned counsel further submits that no incriminating article has been recovered from the conscious possession of the petitioner. It is lastly submitted that the petitioner has clean antecedent and is languishing in custody since 13.04.2024.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner and submits that the petitioner along with other accused persons had brutally killed the wife of the informant and has also looted away the articles from the informant's house.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner has clean antecedent and except the confessional statement of the co-accused namely Parvej Alam there is no material to connect the



petitioner with the said incident and he is in judicial custody since 13.04.2024, let the petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge, Dalsingsarai, District- Samastipur in connection with S.T. No. 462 of 2024 arising out of Dalsingsarai P.S. Case No. 501 of 2023 subject to the conditions:-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner should remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the afore-
mentioned order shall not be delayed for
purpose of or in the name of verification.

(Sourendra Pandey, J)

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