

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19778 of 2025

Arising out of PS. Case No.-6 Year-2012 Thana- KATEYA District- Gopalganj

Jhunna Mishra @ Jhuna Mishra @ Jhunu Mishra @ Paritosh Mishra S/o Dinesh Mishra Resident of Village- Achary Banakta, P.S.- Bhore, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

For the Opposite Party/s: Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 07-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in Kateya P.S. Case No. 06 of 2012 instituted for the offences under Sections 302, 379 and 120-B of the Indian Penal Code and Section 27 of the Arms Act pending in the Court of learned ACJM-VI/Court concerned, Gopalganj. He has three criminal antecedents.

3. As per the prosecution case, the informant has alleged that one Jitendra Rai had informed that FIR named accused persons namely Ramankant Mishra and Munna Mishra along with three unknown persons have committed the murder of the husband of the informant.

4. Learned counsel for the petitioner submits that the



petitioner was not named in the FIR and his name has surfaced in the confessional statement of one Manoj Kumar Singh in the year 2012, however, thereafter no inquiry was conducted against the petitioner. Learned counsel for the petitioner submits that the petitioner was unaware of any such case against him and he was arrested all of a sudden on 18.01.2025 in the present case and from perusal of the case diary it would be evident that except the confessional statement of co-accused Manoj Kumar Singh and confession of the petitioner there is no evidence against the petitioner. Learned counsel for the petitioner draws the attention of this Court towards the order dated 03.09.2012 passed in Cr. Misc. No. 29261 of 2012 whereby the co-accused Manoj Kumar Singh has been granted bail, the order of the same has been brought on record *vide* Annexure-P2. It is lastly submitted that the petitioner has three criminal antecedents and is in custody since 18.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner absconded in the said case and even evaded the police investigation and was ultimately arrested on 18.01.2025. It has further been submitted that the co-accused has taken the name of the petitioner as such petitioner should



not be released on bail.

6. Considering the aforesaid submissions of the parties, I am not inclined to release the petitioner on bail. Accordingly, the prayer for bail is rejected.

7. However, the petitioner shall be at liberty to move his bail application after framing of charge.

(Sourendra Pandey, J)

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