

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22015 of 2025

Arising Out of PS. Case No.-1428 Year-2024 Thana- PHULWARISHARIF District- Patna

Sadan Kumar @ Arvind Kumar S/O Late Shyam Babu Singh R/O Village-
Nawada, P.S- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

For the Informant : Mr. Ashok Kumar Mishra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Phulwari Sharif P.S. Case No. 1428 of 2024, instituted for the
offences punishable under Sections 103(1) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the accused
persons including the petitioner has committed the murder of
the brother of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the informant is not the eye witness to the occurrence and the petitioner has got no land dispute with family of deceased and thus there is no motive for alleged occurrence. It is further submitted that nothing has been recovered either from conscious possession or from the house of the petitioner. The petitioner is in custody since 23.09.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that certain circumstantial evidence cannot be ignored. Paragraph nos. 11 to 15 reveal the recovery of *Kudal* with a blood-stained wooden plank, which was found in the house of the petitioner. It appears that the petitioner is involved in the commission of the murder of informant's brother. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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