

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25276 of 2025**

Arising Out of PS. Case No.-221 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

Amit Kumar Son of Ramdev Singh R/O- Kalyanipur, Parbatpur, P.S.- Chainpur, Dist.- Kaimur (Bhabua), Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Kumari Anupam

For the Opposite Party/s : Mr.Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

6      12-09-2025      1. Heard the parties.

2. This is second attempt for grant of regular bail on behalf of the petitioner in connection with Chainpur P.S. Case No. 221 of 2023 dt: 26.07.2023 registered for the offence under section 302, 201 of the I.P.C. inasmuch as earlier his prayer for bail was dismissed by this court vide order dt: 13.09.2024 passed in Cr. Misc. Nos. 49742 of 2024.

3. The prosecution case as per the First Information Report is that on 25.07.2023 in the night the informant's husband (deceased) received a call for booking of his auto and after that he left his home with the auto. After an hour when the informant tried to call the deceased on his mobile phone she got no response. On 26.07.2023 the husband of the informant was found killed and his dead body was lying near canal road. His



auto was also standing there. The informant alleged that Manju Devi had illicit relations with her husband and she has committed murder of her husband along with other accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of suspicion only and there is no eye witness to the alleged occurrence. He further submits that the petitioner is not named in the F.I.R. He next submits that name of the petitioner has surfaced during investigation in the confessional statement of the co-accused / Golu Kumar. He also submits that during course of investigation no cogent material has come against the petitioner to connect him with the present offence. The petitioner is in custody since 30.03.2024.

5. On the other hand, learned counsel for the informant as well as State vehemently opposed the prayer for bail and submits that on the date of occurrence the CDR of the mobile of the petitioner and the deceased were showing similar location for a long period of time. In paragraph 49 of the case diary independent witness has stated that husband of Manju Devi told the witness that the deceased used to come to her house. He further submits that one Santosh Kumar was apprehended by the police and he not only confessed his guilt but also disclosed the



commission of murder of the deceased in detail.

6. This court vide order dt: 18.04.2025 has called for the social background report as well as social investigation report of the petitioner which has been furnished by learned District & Additional Sessions Judge- Ist cum Special Judge, Kaimur at Bhabua vide letter no. 27 / 2025 dt: 03.06.2025. From perusal of the report it is evident that petitioner is a student of class -VIII and he quit his study and he is auto driver. The majority of his friends are of the same occupation. He is reported to be having no cordial relations with his family members and neighbours. The opinion of Child Welfare Officer / Probation Officer is to keep the petitioner in observation of Probation Officer till the time he will become law abiding person.

7. I have heard learned counsel for the parties and perused the material on record including the impugned order. Learned Special Judge, Kaimur at Bhabua in his impugned order has taken note of the S.I.R. & S.B.R. while rejecting the bail application of the petitioner by which it has been decided to try the case of the petitioner as an adult child on the ground of psychological analysis of mental maturity of the petitioner, who very well know all action and reactions of his deeds and acts. Accordingly, I am not inclined to differ with the impugned



order and grant bail to the petitioner at this stage. The same is rejected.

8. However, the petitioner may renew his prayer for bail after six months if the trial does not conclude within aforesaid time.

praful/-

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(Anil Kumar Sinha, J)

