

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21683 of 2025

Arising Out of PS. Case No.-470 Year-2024 Thana- PATLIPUTRA District- Patna

Amit Kumar @ Tinku S/O Nawal Kishore Sao R/O Village- Hilsa, P.S- Hilsa,
Distt.- Nalanda. At Present Road No. 27 B, Rajiv Nagar, P.S- Rajiv Nagar,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP
For the Informant : Mr. Arvind Kumar Mouar, Advocate
Mr. Raj Krishna Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

3 24-07-2025 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
Patliputra P.S. Case No. 470 of 2024, instituted for the offences
punishable under Section 103(1).

3. The prosecution case, in short, is that the informant
got information that her *Bhaisur* and *Gotani* had died at their
Patna residence. Upon getting the information, the informant
rushed to Patna from Siwan and found both the deceased.

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 petitioner is not named in the FIR. Name of the petitioner has transpired in this case in course of investigation. It is next submitted that the petitioner runs a grocery shop in the same locality and also does home delivery in certain cases. The petitioner has been arrested on the basis of suspicion. The petitioner is in custody since 18.01.2025 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 submits that there is specific allegation of committing double murder against the petitioner. It is further submitted that on perusal of paragraph no. 53 of the case diary, it appears that the petitioner has confessed his guilt and has also mentioned that he has stolen jewellery from the deceased. Learned counsel for the informant further submits that the trial is already in progress and five witnesses have already been examined in this case. Learned counsel for the informant relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**,



wherein in paragrah no. 14, the Hon’ble Apex Court has held
has under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

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)

Rajorshi/-

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