

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25602 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- DORIGANJ District- Saran

Abhishek Kumar @ Manish @ Abhishek @ Manish Kumar S/o Lalit Ray @
Jhagroo Rai Resident of Village- Jalalpur, Ward No 02, PS- Doriganj,
District- Saran at Chhapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-07-2025 Heard learned counsel appearing on behalf of
the petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with
Doriganj P.S. Case No. 165 of 2024 registered for the
offences under Sections 103(1), 238, 61(2), 3(5) of the
Bhartiya Nyay Sanhita, 2023.

3. The petitioner is named in the First
Information Report and is in custody since 28.11.2024.

4. Allegation against the petitioner is to call
the son of the informant from his house for water
plant, which belongs to the informant, whereafter on
next very date, his dead was found near to the Railway
track.

5. It is submitted by learned counsel appearing
on behalf of the petitioner that allegation against the



petitioner is to call the son of the informant from his home, which was out of their acquaintance. It is submitted that they were visited together to the water plant, which belongs to the informant, which was near to his house hardly 100 to 150 meters away. It is submitted that cause of death could not ascertained upon post mortem, however, from the nature and number of injuries, which was found on external examination of the deceased, it can be gathered *prima facie* that same received out of some accident. The dead body was also recovered from Railway track. It is pointed out that except suspicion arising out of calling the deceased son of the informant from home, nothing appears *prima facie* incriminating against this petitioner.

6. Traveling further, it is submitted that allegation of advancing threat is not available against this petitioner, rather same is available against named co-accused person namely, Dablu Kumar and Advani Kumar.

7. While concluding argument, it is submitted that investigation of this case is completed, charge-sheet has been already submitted and as such, there is no chance of tampering with the evidence. Petitioner is



a man of clean antecedent.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. In view of aforesaid factual submission as mentioned above and by taking note of the fact as except suspicion of calling the son of the informant for his water plant, nothing *prima facie* appears incriminating against this petitioner as to connect him with the present crime in question, coupled with the fact that petitioner is in custody since 28.11.2024, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Saran at Chapra, in connection with Doriganj P.S. Case No. 165 of 2024, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

Rajeev/-

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