

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24681 of 2025

Arising Out of PS. Case No.-425 Year-2024 Thana- GORAUL District- Vaishali

1.

Vivek Kumar Jha @ Vivek Jha S/o Pawan Kumar Jha R/o Vill.- Chaksaid, P.S.- Harilochanpur Sukki (Patepur), Distt.- Vaishali
2.

Prince Kumar @ Prince Jha S/o Pawan Kumar Jha R/o Vill.- Chaksaid, P.S.- Harilochanpur Sukki (Patepur), Distt.- Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.G.K. Jha, Advocate
		Mr.B.B. Jha, Advocate
		Mr.Ashutosh Kumar, Advocate
For the Opposite Party/s :		Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 24-07-2025 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Goroul

P.S. Case No. 425 of 2024 registered for the offences under

Sections 191(2), 191(3), 190, 126(2), 118(1), 109, 103,

352, 351(2), 61(2) of the Bhartiya Nyay Sanhita, 2023.

3. The petitioners are named in the First Information

Report, where petitioner no. 1 is in custody since 31.10.2024

and petitioner no. 2 is in custody since 02.12.2024.

4. Allegation against the petitioners is to commit

murder of son of the informant along with other named co-



accused persons by inflicting knife injuries.

5. It is submitted by learned counsel appearing for the petitioners that as per only eye witness of the occurrence, who is Vishal Kumar, assault was specifically made by co-accused Md. Meraj and Akash Kumar. During the occurrence, pistol was in hand of co-accused Raja Kumar. It is submitted that petitioners were not even equipped with any weapon and they implicated with the present case only being co-villagers by taking shelter of conspiracy out of village/local politics. Petitioners are said to be the men of clean antecedent.

6. Learned A.P.P. for the State duly assisted by learned counsel for the informant, could not disputed the aforesaid factual submission.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as *prima facie* there is no overt act appears to be attributed against the petitioners as per eye witnesses of the occurrence, whereas specific allegation as to cause fatal assault appears against other named co-accused persons, as discussed aforesaid, coupled with the fact that petitioners are in custody since



30.10.2024 and 02.12.2024 respectively, accordingly, above-named petitioners are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Vaishali at Hazipur/concerned court, in connection with Goroul P.S. Case No. 425 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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