

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27390 of 2025

Arising Out of PS. Case No.-280 Year-2023 Thana- UJIYARPUR District- Samastipur

Manish Kumar, S/o- Late Ganaur Rai, R/o Village - Lakhanipur Maheshpatti
P.S.- Ujiarpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-05-2025 Heard Mr. Surendra Kumar Singh, learned counsel
for the petitioner and Mr. Uday Pratap Singh, learned APP for
the State.

2. Petitioner seeks regular bail in connection with
G.R. No. 655 of 2023 arising out of Ujiarpur P.S. Case No. 280
of 2023 dated 01.08.2023 registered for the offences punishable
under sections 302 and 201 of the Indian Penal Code.

3. The main submissions advanced by petitioner's
counsel are that though the instant matter relates to unnatural
death of informant's husband but there is no direct evidence
against this petitioner and during the course of investigation, the
deceased's own two sons were made accused mainly on the
basis of their confession recorded by the police and in the said
confession, the name of this petitioner came into light as being



involved with the sons of the deceased in committing the murder but the said confessional statement is completely unbelievable and inadmissible and the police cooked a false story to save the real culprits. It is further submitted that the minor son of the deceased, namely, Dinesh Kumar has been granted bail by the Juvenile Justice Board, Samastipur, while the major son of the deceased, namely, Mahesh Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 01.08.2024 passed in Cr. Misc. No. 28349/2024, in fact the deceased was a convicted accused at the time of his death and he was on bail during the pendency of his appeal and there was no reason for the petitioner to be involved in the murder of the deceased as he had no any kind of enmity with the deceased. It is lastly submitted that the petitioner himself surrendered before the trial court on 12.12.2024 and since then, he has been languishing in jail, having fair and clean antecedent and against him, the investigation has been completed.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as aforesaid submissions and mainly the fact that the prosecution has not pointed out the strong reason on the part



of this petitioner to be involved with co-accused persons in killing the deceased and in respect of his involvement, the prosecution is mainly relying upon the confessional statement of co-accused persons as appears from the order of the trial court and the said two co-accused persons, who have also been alleged to be involved in the commission of the alleged murder, are on bail, in my opinion, in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with G.R. No. 655 of 2023 arising out of Ujiarpur P.S. Case No. 280 of 2023.

(Shailendra Singh, J)

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