

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39860 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- PUNPUN District- Patna

Nagendra Kumar Son of Hare Krishna Saw Resident of village - Darbeshpur,
P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar Sinha, Sr. Advocate Mr.Alexander Ashok, Advocate
For the Opposite Party/s :		Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 140 (1), 103 (1), 309 (6), 238, 336 (2), 340 (2) and 3 (5) of the BNS and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the husband of the informant received a call on his mobile phone, after which he informed the informant that he had to go to Ranchi from Punpun. Saying this, the husband of the informant left from Sadisopur. After some time, when the informant again called her husband, he disclosed that he was carrying a vehicle on hire towards Ranchi. On the next day, when the informant



tried to contact him, the call was not getting connected. Thereafter, on 13.07.2024, she gave an information to the police. Subsequently, a dead body was recovered and upon identification, it was found to be that of the informant's husband. Regarding this incident, Amas P.S. Case No. 213 of 2024 was registered.

4. Learned counsel for the petitioner submits that his name has surfaced in this case only on the allegation that he had hired the vehicle of the deceased. During the course of investigation, in paragraph 57 of the case diary, it has come that a vehicle was recovered in front of the house of the petitioner's cousin brother. It is alleged that the said vehicle belongs to the deceased, however, the registration number of the seized vehicle does not match with that of the deceased's vehicle. From a bare perusal of the case diary, it is evident that the Investigating Officer has not verified whether the seized vehicle is in fact the vehicle of the deceased or not. It is further submitted that although it is admitted that the petitioner had hired the vehicle, nothing else has come on record against him. Moreover, the petitioner is languishing in judicial custody since 24.07.2024 having no criminal antecedent.

5. Learned APP appearing on behalf of the State has



vehemently opposed the prayer for bail, but has fairly conceded to the submission of the learned counsel for the petitioner stating that during the entire course of investigation, the Investigating Officer has not verified whether the vehicle which was seized actually belonged to the deceased or not. It is further submitted that the said vehicle was treated only as the connecting link in the present case.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with S.Tr. No. 1457 of 2024 arising out of Punpun P.S. Case No. 202 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – I, Masaurhi, Patna

(Ashok Kumar Pandey, J)

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