

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29075 of 2025

Arising Out of PS. Case No.-616 Year-2024 Thana- HARSIDHI District- East Champaran

Parmendra Kumar @ Parmendra Manjhi Son of Bali Manjhi Resident of
village -chilraon ps -turkauliya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sessions Trial No. 253 of 2025 arising out of Harsidhi P.S. Case No. 616 of 2024 instituted for the offences under Sections 103, 61 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner in connivance with co-accused, under a conspiracy, committed murder of the deceased Rahul Singh.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case



merely on the basis of suspicion and due to ulterior motive. He further submits that there is delay of two days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation on the basis of the confessional statement of the co-accused Nitesh Kumar @ Durlabh Sarkar recorded before the police which has no evidentiary value in the eye of law. From perusal of the confessional statement of the co-accused Nitesh Kumar, it appears that the petitioner is not the assailant of the deceased rather Nitesh Kumar has opened fire upon the deceased. The police arrested the petitioner and recorded his confessional statement which has no evidentiary value in the eye of law. There is no eye-witness to the alleged occurrence. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 19.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner,



stating that the offence alleged is serious in nature. The petitioner has confessed his guilt of being involved in the alleged occurrence. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 103, 61, 3(5) of the B.N.S. and Section 27 of the Arms Act.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence, material available in the case diary as well as the postmortem report of the deceased, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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