

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32319 of 2025**

Arising Out of PS. Case No.-138 Year-2024 Thana- DELHA District- Gaya

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Anant Kumar @ Anand Kumar S/o Late Viku Ravidas @ Biku Das R/o  
Mohalla- Chhotki Delha, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

**CRIMINAL MISCELLANEOUS No. 23385 of 2025**

Arising Out of PS. Case No.-138 Year-2024 Thana- DELHA District- Gaya

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Babu Kumar @ Abhishek Kumar Son Of Late Viku Ravidas @ Biku Das  
Village- Chhotki Delha Ps -DELHA Dist-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 32319 of 2025)

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

(In CRIMINAL MISCELLANEOUS No. 23385 of 2025)

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

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

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      01-09-2025                      Since both the petitions arise out of Delha P.S. Case  
  
No. 138 of 2024, as such, they have been taken up together and  
  
are being disposed of by this common order.

2. Heard learned counsel for the petitioners and  
  
learned APP for the State.

3. In the present case, the petitioners seek bail in  
  
connection with Delha P.S. Case No. 138 of 2024 registered on  
  
04.06.2024 for the alleged offences under Sections 324, 326,



307, 302 and 34 of the Indian Penal Code

4. As per prosecution case, the petitioners assaulted the brother of the informant and his friend with knife and pointed rod and seriously injured them. Subsequently, they succumbed to their injuries during treatment.

5. Learned counsel for the petitioners submit that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. The informant is not an eye-witness and he has not disclosed how he came to know about the incident. The statement of the witnesses Sunny Kumar and Md. Salman Ansari are not believable. If they were the eye-witnesses, they would have informed the police. Learned counsel further submits that if the statement of eye-witnesses does not appear to be true, it is a case of circumstantial evidence in which chain is not complete. Even in the FIR no specific overt act has been attributed to the petitioners. Petitioner Anant Kumar @ Anand Kumar is having criminal antecedent of two cases whereas petitioner Babu Kumar @ Abhishek Kumar is having clean antecedent. Petitioners are in custody since 21.06.2024 and the matter is pending before the sessions court for trial after commitment. Though one year has elapsed but trial has not proceeded any



further.

6. Learned APP appearing on behalf of State opposes the submission made on behalf of the petitioners. Learned APP submits that murder weapons were recovered at the instance of the petitioners and from the house of petitioner Anant Kumar.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that it is a case of double murder with specific allegation of assault against the petitioners, I am not inclined to enlarge the petitioners on bail, hence, their prayer for bail is **rejected**.

8. The learned trial court is directed to expedite the trial and conclude the same at the earliest.

**(Arun Kumar Jha, J)**

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