

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34363 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- PIPRAHI District- Sheohar

1. Amresh Kumar S/O Late Gagandeo Thakur R/O Vill.- Ramnagra, P.s.- Riga, Dist.- Sitamarhi.
2. Dinesh Thakur S/O Late Brahamdeo Thakur R/O Vill.- Ramnagra, P.s.- Riga, Dist.- Sitamarhi.
3. Pankaj Kumar S/O Late Gagandeo Thakur R/O Vill.- Ramnagra, P.s.- Riga, Dist.- Sitamarhi.
4. Arjun Kumar S/O Late Gagandeo Thakur R/O Vill.- Ramnagra, P.s.- Riga, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv
	:	Smt. Divya Bharti, Adv
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-09-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners seeks bail in connection with Piprahi P.S. Case No. 45 of 2025 registered for the offences under Sections 126(2), 115(2), 118(1), 103, 109, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The petitioners are named in the F.I.R. and is in custody since 15.03.2025.

4. The allegation against petitioners as per FIR is to involved in murder of the husband of the informant, where one of the co-accused Tausif inflicted knife injuries. It is alleeged further that when injuries upon husband of the deceased was inflicting



petitioners surrounded the deceased, whereas some of the co-accused/petitioners were holding deceased during the occurrence while Tausif was inflicting knife injuries.

5. Learned counsel appearing on behalf of the petitioners submitted that allegation of causing fatal injury is available against co-accused Tausif, who is not the petitioner for the present case. It is submitted that petitioner no(s). 1 to 3 were not involved in holding the deceased during the occurrence and, therefore, their case appears similar to the case of co-accused Upendra Raut who was granted bail by learned Co-ordinate Bench of this Court through Cr. Misc. No. 32874 of 2025 dated 03.09.2025. It is pointed out that in view of same petitioner no(s). 1 to 3 deserves bail on the ground of judicial parity. It is submitted that as far as allegation regarding petitioner no. 4 is concerned as he was alleged to hold the hand of deceased during the occurrence, while Tausif inflicted knife injury, but as the fatal injury was found on the back of the head, against petitioner no. 4 was holding deceased arms, therefore, this assault prima-facie appears impossible on its face against petitioner no. 4, which appears raised only to implicate petitioner



falsely in the background of land dispute between the parties. While concluding the argument it is submitted that, petitioners are men of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail could not dispute the factual submission as far petitioner no(s). 1 to 3 are concerned, however, learned counsel for the informant submitted that petitioner no. 4 was holding hand of deceased during the occurrence from the back, which is duly supported by the informant, who is the eye-witness of the occurrence and in view of his collective involvement *qua* occurrence, petitioners are not entitled to release on bail. .

7. In view of aforesaid factual submission and by taking note of fact as prima-facie allegation *qua* petitioner no(s). 1 to 3 is not caught hold to the deceased during the occurrence, in view of FIR, where informant is the eye-witness, coupled with the fact as petitioners remains in custody since 15.03.2025, accordingly petitioner no(s). 1 to 3, are directed to be



released on bail in connection with Piprahi P.S. Case No. 45 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sheohar/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

8. Considering the nature of allegation *qua* petitioner no. 4 namely Arjun Kumar, who was actively involved in occurrence as discussed aforesaid by holding deceased, prayer of bail of petitioner no. 4, namely Arjun Kumar stands rejected for the present.

(Chandra Shekhar Jha, J.)

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