

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34696 of 2025

Arising Out of PS. Case No.-663 Year-2024 Thana- MUFFASIL District- West Champaran

Abhishek kumar @ Fighter S/O Ramashish Mahato R/O Vill-Purvi
Kargahiya,Lalu Nagar,Ward No.08, PS-Bettiah,Muffasil Dist-West champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Bettiah Muffasil P.S. Case No. 663 of 2024, lodged on 12.12.2024, under Sections 103(1), 351(2), 3(5) of B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against three named and one unknown accused persons against whom there is allegation that they in connivance with each other have assaulted Munna Kumar and Jai Prakash by knife and killed them.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that upon bare reading of the FIR it become crystal clear that there is no eye witness in the present case and only on the basis of suspicion name of the petitioner has been inserted in this case. Counsel further submits that nobody has seen the occurrence and the weapon of the crime has also not been recovered from the possession of the petitioner. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him and antecedent of the petitioner is clean and he is in custody since 12.12.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is a case of double murder and allegation is against three named and one unknown accused persons that they have killed two persons, i.e., informant's son, namely, Munna Kumar and one Jai Prakash by knife. He further submits that at the time of hearing the bail application the Session Court has called for case diary, postmortem report, inquest report and categorically discussed in the order sheet that on the confessional statement of the accused person the weapon of the crime has been recovered, Postmortem report and inquest report have also supported the allegation



made in the F.I.R.

6. In this background, this Court is not inclined to enlarge the petitioner on bail in connection with Bettiah Muffasil P.S. Case No. 663 of 2024 pending in the court of learned Chief Judicial Magistrate, Bettiah (West Champaran). Hence, the prayer for bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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