

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36373 of 2025

Arising Out of PS. Case No.-1411 Year-2024 Thana- PHULWARISHARIF District- Patna

Jitendra Kumar son of Vijay Rai Resident of village- Chakardaha More PS
-Khagaul, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 82 of 2025 arising out of Phulwarisharif P.S. Case No. 1411 of 2024 dated 19.09.2024 registered for the offences punishable u/s 103(1), 238 of the B.N.S.

3. As per the prosecution case, the informant Amit Kumar in which he has alleged that on 17.09.2024, his brother Aryan Kumar aged about 15 years was taken by the accused Amit Kumar s/o Moti Yadav R/o- Phulwarisharif P.S. Patna along with unknown person and later on the dead body of Aryan Kumar was found at Phulwarisharif Police Station. It is further alleged by the informant that the accused Amit Kumar along with an unknown person committed murder of his brother Aryan Kumar.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has surfaced in this case during the course of the investigation. The occurrence took place on 17.09.2024 but the FIR was lodged on 19.09.2024 and there is no explanation for this delay. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.10.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation against the petitioner and the co-accused persons is that they committed murder of Aryan Kumar. Learned counsel has further submitted that the petitioner has confessed in his confessional statement that he along with other co-accused Amit Kumar committed the murder of Aryan Kumar by pressing his neck with a green colour Gamcha. From the perusal of post-mortem report, the cause of death is due to asphyxia and venous congestion as a result of ligature strangulation.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.



7. The application stands rejected.

(Chandra Prakash Singh, J)

Raj Ranjan/-

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