

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36336 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- SIRISIYA District- West Champaran

Ravi Gupta Son of Sri Chandmal Prasad Resident of Mohalla - Rameshwar
Nagar, ps- Bettia Town, Distt- West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :		Mr. Ajay Kumar No.II, APP
For the Informant	:	Mr. Umesh Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-08-2025 Heard Learned Counsel for the petitioner, Learned
Counsel for the Informant 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 Sirisiya P.S. Case No. 80 of 2024, lodged on 01.10.2024, under Sections 103(1)/238(1) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, allegation of murder of the informant’s son is against the petitioner.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that from bare perusal of the FIR it becomes crystal clear that the case has been lodged against unknown and name of the petitioner has come merely on the basis of suspicion. Counsel submits that it is due to this reason case-diary had been called for. He submits that in the case-diary name of the petitioner has figured by the co-accused on their confessional statement indicating that petitioner is nowhere involved in the commission of the crime; rather he has alleged to arrange money for commission of the crime. Learned Counsel for the petitioner submits that all allegations are confession not corroboration and, therefore, the benefit should be granted to the petitioner. Learned Counsel submits that a story has been developed that the daughter of the petitioner is in love with the deceased. It is due to this reason, the entire operation has been done at the instance of the petitioner. He submits that in the entire case-diary there is no material against the petitioner save and except his name as come by virtue of confession and only on the basis of suspicion he is in custody since 28.11.2024.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that it is the petitioner who is the kingpin and master mind behind this crime. He



further submits that in the confessional statement the co-accused have disclosed that they have received money from the petitioner for commission of crime.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Upon the specific query of the Court whether charge has been framed or not?

8. Learned Counsel for the petitioner submits that as per his knowledge charge has not been framed.

9. It is due to this reason, this Court is not inclined to grant bail to the petitioner at present. Hence, the prayer for bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

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