

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36301 of 2025

Arising Out of PS. Case No.-335 Year-2024 Thana- SANDESH District- Bhojpur

Amit Kumar Singh S/o Mithilesh Singh Resident of village- Trithkaul P.S.-
Sandesh, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ojaswee Kumari, Adv
For the Informant	:	Mr. Varun Krishna Singh, Adv
		Mr. Sripriya Sinha, Adv
For the Opposite Party/s :		Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-06-2025 Heard learned Counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 103(1), 238, 61(2),
3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, on 02.12.2024, early
morning the son of the informant was shot dead and the body
was thrown in the orchard. It is further alleged that the petitioner
and the other co-accused persons were working at Sand Ghat
along with the son of the informant and one Pintu Kumar was
seen meeting with one of the co-accused Niranjan Kumar at the
said Sand Ghat and a suspicion was raised by the informant that
all the named accused persons including the petitioner had



conspired to kill the son of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is nothing to connect the petitioner with the said incident and there is no eye witness to the occurrence. It is next submitted that during the investigation the CDR of the accused persons including the petitioner was collected and from the CDR of the petitioner it cannot be stated that the petitioner was in touch with the deceased. It is also submitted that similarly situated co-accused person has already been granted bail by this Court vide order dated 20.05.2025 passed in Cr. Misc. No. 24938 of 2025. It is lastly submitted that the petitioner has four criminal antecedents and is in custody since 04.12.2024.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and also considering the period of custody coupled with the fact that similarly situated co-accused person has already been granted bail by this Court, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur, in connection with Sandesh P.S. Case No. 335 of 2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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