

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37452 of 2025

Arising Out of PS. Case No.-52 Year-2022 Thana- TANDWA District- Aurangabad

1. Abhay Kumar @ Abhay Ram S/o- Sudarshan Ram Village- Ramnagar Mahuari TolaPS-Tandwa District-Aurangabad
2. Deepak Kumar S/o- Satyendra Ram Village- Mahuari PS-Tandwa District-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuresh Singh
For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 02-09-2025 Heard Mr. Madhuresh Singh, learned counsel for the petitioners and Mr. Rajendra Singh, learned APP for the State.

2. The petitioners have prayed for bail in connection with Tandwa P.S. Case No. 52 of 2022, G.R. No. 1193/2022 registered for the offence punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code.

3. The case of the prosecution is that the informant had gone in the marriage of some relation. He received an information on 01.06.2022, that his son Sandeep Kumar has been murdered. When he returned back, he came to know that her son has been thrown in Dhodha River and a co-villager namely, Ankit Kumar was having friendship with his son. There has been some altercation with Ankit Kumar. The informant suspects that Ankit



Kumar in association with other boys has killed the son of the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. Learned counsel for the petitioners have submitted that from perusal of the FIR, it is clear that the petitioner's name is not there in the FIR, rather his name has surfaced in the confessional statement of co-accused namely, Samarjeet Ram @ Samarjeet Kumar. It has also been submitted that there is no material against the petitioners save and except the confessional statement of the said co-accused. It is also submitted that one Ankit Kumar, who was named accused, has been granted bail by learned Co-ordinate Bench in Cr. Rev. No. 181 of 2023. The case of these petitioners stands on better footing. It has lastly been submitted that a statement has been made in para 3 of the petition that petitioners have no criminal antecedent and are languishing in judicial custody since 18.03.2025.

5. The learned APP for the State has conceded to the argument that except confessional statement, there is nothing against these petitioners.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is



inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Aurangabad (Bihar), in connection with Tandwa P.S. Case No. 52 of 2022, G.R. No. 1193/2022.

(Ashok Kumar Pandey, J)

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