

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39753 of 2025

Arising Out of PS. Case No.-1037 Year-2023 Thana- AGAMKUAN District- Patna

Alok Kumar Singh aged about 20 years S/o- Sri Ramesh Prasad Singh
Village- Ladaur P.S-Gaighat District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Adv

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Agamkuan P.S Case No. 1037 of 2023 registered for the
offences punishable under Sections 302 of the Indian Penal
Code.

3. As per allegation in the FIR, allegation against the
petitioner is of killing the niece of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case due to ulterior
motive. It is submitted that after death of father of deceased,
brother of deceased also died in very suspicious circumstances
few months ago and the mother of the deceased is suffering with



serious mental problem and then the deceased who was the single surviving girl child of her parents has been killed. Informant is the full brother of the father of the deceased and he in collusion with antisocial elements and the police, managed to kill his niece with sole intention to grab the share in property of his deceased brother. It is submitted that there is no eye-witness to the alleged occurrence and the petitioner has no role in the alleged murder. Petitioner is in custody since 16.10.2024 having no criminal antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, case diary and the impugned order dated 26.04.2025, it appears that informant has fully supported the prosecution case which is apparent from paragraph no. 3 of the case diary and statement of witnesses namely Rupesh Kumar, Deepak, Anmol, Mukesh Kumar, Mamta Devi, Manisha Devi and Biman Kumar have been recorded in various paragraph of the case diary and they have also fully supported the prosecution case which prima-facie shows the involvement of the present petitioner in the alleged offence. From perusal of post mortem report, it appears that death of the deceased has been caused by asphyxia. It is also



apparent from the Paragraph no. 9, 10, 11 and 33 of the case diary that when Mukesh Kumar was going to the Office, he saw that petitioner's motorcycle was not at the parking and main gate was open and when owner's wife went to tell the deceased about this act of his husband then they saw that room was looked from the outside and when Mamta Devi along with one Manisha Kumari opened the door from outside they saw the dead body of the deceased in the kitchen, So, considering the aforesaid facts of the case and the materials available on record, it seems that petitioner is the main culprit behind the alleged occurrence, therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the regular bail application of the petitioner is hereby rejected.

8. Trial Court is directed to expedite the trial.

(Ramesh Chand Malviya, J)

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