

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40935 of 2025

Arising Out of PS. Case No.-312 Year-2023 Thana- PASRAHA District- Khagaria

Sumit Kumar @ Chunmun Kumar Son of Pahli Mandal village- Navtolia PO
-Kolwara PS -Pasraha Dist -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pandey, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-07-2025 Heard Mr. Bijay Kumar Pandey, learned counsel for
the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.11.2023 in connection with Pasraha P.S. Case No. 312 of
2023, G.R. No. 3933 of 2023, F.I.R. dated 14.11.2023 for the
offences punishable under Sections 302, 201/34 of the IPC and
27 of the Arms Act.

3. According to prosecution case, on 13.11.2023, at
about 01:30 p.m., the daughter of the informant (deceased) went
at the house of petitioner for playing. It is alleged that the
petitioner along with other co-accused persons is said to have
misbehaved and killed the informant's daughter.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case merely on the basis of suspicion. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. The petitioner is in custody since 29.11.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that before the murder of the victim, the petitioner has committed rape upon her and thereafter, the petitioner had shot fired upon the victim.

6. Considering the aforesaid facts, there is direct and specific allegation against the petitioner supported by medical evidences and apart from that medical report also reveals that the petitioner has committed rape upon the victim, I am not inclined to enlarge the petitioner on bail in connection with Pasraha P.S. Case No. 312 of 2023, G.R. No. 3933 of 2023 pending in the court of learned Chief Judicial Magistrate, Khagaria.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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