

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38844 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- MAHESHKHUNT District- Khagaria

Neeraj Kumar S/o Jay Prakash Chourasiya R/o Vill- Maheshkhut Bichli Tola,
P.S.- Maheshkhut, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saurabh Kumar, Advocate
For the Informant/s	:	Mr. Yogesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-09-2025 Heard Mr. Saurabh Kumar, learned counsel for the petitioner; Mr. Yogesh Kumar, learned counsel for the informant and Mr. Madhura Nand Jha, learned APP for the State.

2. The petitioner has prayed for bail in connection with Maheshkhunt P.S. Case No. 03 of 2025 instituted for the offence under Sections 103(1)/ 61(2) of the B.N.S., 2023.

3. The case of the prosecution is that the husband of the informant was killed by some unknown miscreants.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. From perusal of the seizure list, it is also clear that as the petitioner has stated in his confessional statement that one of his shoes was thrown by him



in the wheat field, which was later on recovered. He further submits that till today, the report of *FSL* is not available to connect the petitioner with the offence. It has lastly been submitted that a statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.01.2025.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that during the course of investigation, on the basis of call details, it was found that the petitioner has made the last call to the deceased. It has also been submitted that there is confessional statement of the petitioner also. It also transpires from the case diary that from scanning of CCTV footage, it has also come that the deceased was driving a bike and a person was sitting as a pillion was wearing yellow color jacket. A yellow color jacket has been seized, containing blood stains from the petitioner. He further submits that though there is no eye-witness of the occurrence, but there are two incriminating materials against the petitioner i.e., blood stains in yellow color jacket and the shoe.

6. Having heard the learned counsel for the parties



and considering the nature of allegation that there are two incriminating materials against the petitioner i.e., blood stains in yellow color jacket and the shoe, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, the petitioner will be at liberty to renew his prayer for bail after the report of FSL.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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