

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40986 of 2025

Arising Out of PS. Case No.-538 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Pritam Kumar @ Ghutra @ Pritam Kumar Ghutra S/o Rajeev Singh @
Rajeev Kumar Singh @ Rajeev @ Rajo Singh R/o Village- Hanumangadhi
(Hanumangarhi) Ward No. 45, Mohan Eghu, P.S.- Muffasil, District-
Begusarai. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Town P.S.
Case No. 538/2024, registered for the offence under Sections
103(1), 238(a), 303(2), 3(5) of BNS, 2023.

3. The accused/petitioner is not named in the F.I.R. and
is in custody since 18.12.2024.

4. As per FIR, the son of the informant, who is E-
rickshaw driver found missing and subsequently his mobile phone
was also found switched off. Informant received information from
police station on 27.09.2024 regarding dead body of her son.

5. Learned Counsel appearing on behalf of the petitioner
submitted that the informant is not the eye-witness of the
occurrence and entire prosecution case is based upon



circumstantial evidence. It is submitted that the petitioner apprehended in one Muffasil P.S. Case No. 373 of 2024 and in said case he confessed regarding his involvement in present case and, therefore, on the basis of his self confession, he was remanded in this matter. It is pointed out that on the basis of said self confession, nothing incriminating recovered/surfaced during investigation as to connect petitioner *prima facie* with present occurrence of kidnapping and murder. It is submitted that one of reason for implication of the petitioner with present case is his criminal antecedents, as he found involved in six more criminal cases, where in three criminal cases, he has already acquitted after the trial. It is submitted that in maximum of the cases, petitioner found involved either on the basis of his self confession or the confession of co-accused, having otherwise no evidentiary value under the law. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of self confession of accused petitioner, *prima facie* nothing incriminating



surfaced/recovered during investigation as to connect petitioner with present occurrence of kidnapping and murder, coupled with the fact that investigation is already completed, where petitioner remains in custody since 18.12.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Town P.S. Case No. 538/2024, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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