

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38374 of 2025

Arising Out of PS. Case No.-347 Year-2024 Thana- NAUGACHIA District- Bhagalpur

Neeraj Kumar S/o Rajesh Yadav R/o Village- Dimha, P.S.- Gopalpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 18-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Naugachia P.S. Case No. 347 of 2024 instituted for the offences under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that, three persons riding on Apache motorcycle, came near the shop and fired bullets indiscriminately, killing informant's husband Ravindra Chaudhary and fled away from there. It is alleged that the informant's husband was murdered due to past rivalry by Luv Kumar, Vijendra Kumar and three Apache-borne persons.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Dilkhush Kumar. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. There is no eye-witness to the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.03.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that co-accused Dilkhush Yadav in his confessional statement has specifically narrated the involvement of the petitioner in the alleged occurrence. The prayer for grant of bail of co-accused person has already been rejected by this Court vide order dated 18.06.2025 passed in Cr. Misc. No. 18149 of 2025.

6. Considering the aforesaid facts and circumstances of the case as also there being ample material against this petitioner in the case diary to show his involvement in the commission of murder of deceased, this Court is not inclined to grant bail to the petitioner at this stage.



7. Accordingly, the prayer for grant of bail to the
petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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