

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39498 of 2025

Arising Out of PS. Case No.-560 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Bajendra Prasad @ Brajendra Prasad S/o Swaminath Prasad R/o
Panchapakadiya, Padumpati, Kala Dumra, P.S.- G.B. Nagar, District- Siwan
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mithilesh kr. Upadhayay, Adv.
Mr. Raju Prasad, Adv.
Ms. Tetara Kumari, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-08-2025 Heard the parties.

2. The petitioner seeks bail in connection with G.B.
Nagar P.S. Case No. 560 of 2024 registered for the offence
under Sections 103(1) and 61(2) of BNS.

3. The petitioner is named in the F.I.R. and is in
custody since 26.04.2025.

4. The allegation against the petitioner is to commit
murder of father of the informant alongwith other co-accused
persons by using brick plate and iron rod.

5. Learned counsel appearing on behalf of the
petitioner submitted that specific allegation to cause fatal
assault to the father of the informant is available against co-



accused Ajay Kumar and Sunil. It is pointed out that the petitioner implicated with present case without having any overt act and considering this aspect learned Co-ordinate Bench of this Court granted bail to one similarly situated co-accused namely, Raj Kumar through Cr. Misc. No. 6947 of 2025 vide order dated 19.02.2025 and therefore considering the judicial parity this petitioner also deserves bail. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by Mr. Salaj Kumar learned counsel for the informant while opposing the prayer of bail submitted that petitioner was actively involved in the occurrence as per FIR, where informant is the eye witness of the occurrence.

7. In view of aforesaid factual submission and by taking note of fact as allegation of fatal assault is not specifically available against this petitioner where similarly



situated co-accused already granted bail by one of the learned co-ordinate Bench of this Court as discussed aforesaid, coupled with fact that investigation is already completed where petitioner being man of clean antecedent remains in custody since 26.04.2025, accordingly petitioner above named, is directed to be released on bail in connection with G.B. Nagar P.S. Case No. 560 of 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 ADJ II, Siwan /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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