

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40874 of 2025

Arising Out of PS. Case No.-1710 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Boby Kumar S/o Shankar Sahani @ Shankar Kumar R/o Village- Shekhpur,
P.S.- Ahiyapur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate
	:	Mr. Rajeev Ranjan No.II, Advocate
	:	Mrs. Priyanka Kumari, Advocate
For the Opposite Party/s :		Mr. Lakshmi Kant Sharma, APP
For the Informant	:	Mr. Chandra Shekhar Anand, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 1710 of 2023 instituted for the offences
under Sections 302/34 of the Indian Penal Code.

3. Prosecution case, in short, is that, the husband of the
informant went with the petitioner and four other accused
persons to attend a village feast but did not return; next
morning, his dead body was found in a litchi orchard. The
informant suspects that the accused persons including the
petitioner have committed the murder of her husband.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is no eye-witness to the occurrence. Learned counsel further submitted that save and except suspicion, there is no cogent material against the petitioner to prove his involvement in the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.03.2025 and has no criminal antecedent. The co-accused person has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 29.01.2025 passed in Cr. Misc. No. 75229 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Ahiyapur P.S. Case
No. 1710 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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