

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42831 of 2025

Arising Out of PS. Case No.-357 Year-2024 Thana- PIPRA District- East Champaran

Manish Kumar S/o Upendra Prasad Resident of village- Mahuawa, P.S.-
Pipra, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate Mr.Hemant Ray, Advocate
For the State	:	Mr.Uma Shankar Prasad Singh, APP
For the Informant	:	Mr.Krishna Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-08-2025 Heard Mr. Abhishek Kumar, learned counsel

 appearing on behalf of the petitioner and Mr. Krishna Kant

 Singh, learned counsel appearing on behalf of the informant.

2. The accused/petitioner seeks bail in connection with Pipra P.S. Case No. 357 of 2024 registered for the offences under Sections 137, 140(3) of the Bhartiya Nyay Sanhita, 2023 (in short, the ‘B.N.S.’) and modified section 140(1), 103(1), 238, 61(2) of the B.N.S.

3. The accused/petitioner is not named in the First Information Report and is in custody since 24.01.2025.

4. As per FIR, the son of the informant was called from his home on 29.11.2024 at about 5:00 P.M. by the



named co-accused persons whereafter his mobile phone was switched off. The informant shows apprehension that her son might be killed by co-accused Krishna Mahto, because on earlier occasion also, he had threatened him on facebook live.

5. It is submitted by learned counsel appearing on behalf of the petitioner that name of the petitioner transpired through confessional statement of named co-accused Binod Bhagat, and in furtherance of which, no incriminating material recovered/surfaced during the course of investigation as to connect him *prima facie* with the present occurrence of murder.

6. It is submitted that the informant even not raised suspicion against this petitioner. It is pointed out that as the petitioner was in touch with the main co-accused person over mobile phone being known, he was implicated falsely with the present case. It is submitted that the motorcycle of the deceased was recovered at the instance of co-accused persons.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover,



investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State duly assisted by Mr. Krishna Kant Singh, learned counsel for the informant, while opposing the prayer for bail of the petitioner, submitted that petitioner was actively participated in the alleged occurrence as he was in touch with the co-accused persons namely, Golu and Navin as per Call Detail Report (in short the 'CDR'), where he fairly conceded that the motorcycle of the deceased was recovered on the instance of other co-accused persons.

9. In view of aforesaid factual submission and by taking note of the fact as save and except suspicion arising out of confessional statement of co-accused persons and CDR, nothing *prima facie* incriminating appears against this petitioner as to connect him with the present crime in question, coupled with the fact that petitioner remains in custody since 24.01.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran at Motihari, in connection with Pipra P.S. Case No. 357 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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