

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42568 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- TARIYANI CHAPRA PS District- Sheohar

Abhishek Kumar S/o Raghav Thakur R/o Village-Bisambharpur, P.S.-
Tariyani, Chapra, Distt- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Singh, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-07-2025 Heard Mr. Mritunjay Singh, learned counsel for the

petitioner and Mr. Tarun Prasad Mandal, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Tariyani Chapra P.S. Case No. 06/ 2025 dated 01.02.2025
registered for the offence(s) punishable under Section(s) 103(1)
and 3(5) of the BNS and section 27 of the Arms Act.

3. The main submissions advanced by the petitioner's
counsel are that the FIR of the present matter was registered
against unknown, name of this petitioner surfaced during the
course of investigation in the confessional statement of co-
accused, Brajesh Kumar and except this, there is no material to
show the petitioner's involvement in the alleged crime of
murder, if the statement of co-accused, Brajesh Kumar is



believed even then the petitioner's role in the alleged crime does not appear as being the assailant and the main allegation of firing is attributed to co-accused, Brajesh Kumar, who happens to be the friend of this petitioner. It is further submitted that the petitioner is a student of Bachelor of Arts and presently making preparation of competitive examinations and his academic career is being ruined on account of his judicial custody. It is lastly submitted that the petitioner has fair and clean antecedent and languishing in jail since 14.04.2025 and investigation against him has been completed but till date except the confessional statement of co-accused, Brajesh Kumar, there is no material against the petitioner.

4. Though, the learned APP for the State has opposed the bail prayer of the petitioner but fairly accepts that as per the impugned order, except the confessional statement of co-accused, Brajesh Kumar, there is no material against the petitioner.

5. Heard both the sides and perused the FIR and the trial court's order. Though, the instant matter relates to the serious crime of murder, however, considering the petitioner's young age, his academic career, his custody period and mainly the fact that he has not remained involved in any other criminal



activity in the past and in respect of his involvement in the alleged crime, the prosecution is mainly relying upon the statement of co-accused, Brajesh Kumar, in my opinion, in these circumstances, the petitioner is entitled to the privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Tariyani Chapra P.S. Case No. 06/ 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial court.

(2) If the petitioner tampers with the evidences or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailors shall be the close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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