

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44209 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Sanjay Singh @ Sanjay Kumar @ Pappu Singh, S/o Late Basudev Singh @
Basudev Narayan Singh, R/o village – Nawa Nagar Nizamat, P.S.- Sahebganj,
Distt. - Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Sunil Kumar Pandey, Advocate
For the State	:	Dr. Indivar Kumari, APP
For the Informant	:	Mr. Upendra Kumar Chaubey, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-08-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Sahebganj P.S.

Case No.243 of 2024 registered under Sections 302, 120-B

read with 34 of the Indian Penal Code and Section 27 of the

Arms Act.

3. Allegation against the petitioner is to involve in

committing murder of son of the informant along with other

named co-accused persons.

4. It is submitted by learned counsel appearing for



the petitioner that from the facial perusal of FIR, it appears that the other persons specifically named to involve in crime in question, whereas there is no allegation against this petitioner rather it is stated only that the petitioner was in litigating terms and not even suspicion *qua* his involvement in crime in question was raised through FIR. It is submitted that during investigation, co-accused Rohit was apprehended, who in his confession named this petitioner and other co-accused persons, namely, Sudhanshu and Niraj, who while recording their confessional statement, confessed to commit murder of the son of the informant. It is submitted that these apprehended co-accused persons, named co-accused Abhishek Kumar and this petitioner with allegation that they hired them to kill the son of the informant. Considering all such aspects, the co-accused namely, Abhishek Kumar has already granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.64297 of 2024 dated 17.10.2024. Arguing further, it is submitted by learned counsel that the son of petitioner was murdered by deceased for which Sadar P.S. Case No.225 of 2013 was



instituted, where the petitioner was the informant and co-accused Abhishek Kumar was the witness. It is submitted that as to create a pressure for compromise with aforesaid criminal case, the petitioner has been falsely implicated mere on suspicion. It is further submitted by learned counsel that stepping ahead, the petitioner was also implicated with one another criminal case being Sahebganj P.S. Case No.544 of 2024, wherein he was granted anticipatory bail by learned trial court itself. Arguing further, it is submitted by learned counsel that petitioner will not abscond rather he will co-operate in investigation as and when directed. It is further pointed out that investigation of present case is already completed in all aspects and, therefore, sending this petitioner to judicial custody shall not serve any lawful purpose.

5. Dr. Indihar Kumari, learned APP duly assisted by Mr. Upendra Kumar Chaubey, learned counsel appearing for the informant while opposing the prayer for bail submitted that as per confession of co-accused, this petitioner was the person, who hired the other co-accused persons for committing murder of the son of the informant and moreover,



the investigation *qua* petitioner is still open. However, he conceded that other co-accused persons have been granted anticipatory/regular bail by this Court.

6. In view of aforesaid factual submissions and by taking note of fact as even through FIR, suspicion *qua* involvement of petitioner with crime in question not appears convincing, coupled with fact that his name transpired in confessional statement, where almost with similar allegation one of the co-accused namely, Abhishek Kumar has been granted anticipatory bail by one of the learned co-ordinate Bench of this Court, as discussed aforesaid, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class (West), Muzaffarpur in connection with Sahebganj P.S. Case No.243 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS and with further



conditions:-

(i) That in the event, if any application is filed by the Investigating Officer before the learned trial court bringing to notice that petitioner despite of giving assurance to this Court is not co-operating in investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to cancel the bail bond of the petitioner after recording the reasons.

7. Let a copy of this order be sent to the concerned police station through learned trial court.

(Chandra Shekhar Jha, J.)

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