

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46170 of 2025

Arising Out of PS. Case No.-597 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Mayank Kumar @ Angu @ Mayank Raj @ Angu S/O Umesh Roy @ Umesh
Rai Resident of Digghi Kalan West, PS- Hajipur Sadar, District- Vaishali.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Adv
	:	Ms. Anju Kumari @ Anju Narain, Adv
For the Opposite Party/s	:	Ms. Pushpa Sinha 1, APP
For the Informant	:	Mr. Vinay Kr. Mishra, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 597 of 2024 registered for the offences under
Sections 103(1) and 61(2)(a) of the Bharatiya Nyaya Sanhita and
Section 27 of the Arms Act.

3. The petitioner is named in the F.I.R. and is in custody
since 26.10.2024.

4. As per FIR, the petitioner was alleged to be involved
in murder of the father of the informant, who was shot dead by
firing made by named co-accused persons Badal Kumar and
Naveen Billa.

5. Mr. Rajendra Narain, learned senior counsel
appearing on behalf of the petitioner submitted that upon facial
perusal of FIR itself, it can be gathered that the allegation against
this petitioner is to act as one of the conspirator for which



suspicion was raised by injured father of the informant. It is pointed out that at the date of occurrence petitioner was in judicial custody in connection with Hajipur Sadar P.S. Case No. 113 of 2024 lodged by same informant. It is also pointed out that parties were in enmical terms, therefore, present false implication was raised against this petitioner. It is pointed out that one of the reason behind implication of petitioner with the present case is his criminal antecedents also as he found involved in 10 more cases, where he is on bail in 8 cases and in most of the cases his name appears on the basis of confessional statement of co-accused or on the basis of suspicion as of present case, having otherwise no evidentiary value under law. It is submitted that during investigation nothing transpired incriminating against this petitioner *qua* conspiracy as alleged, which may suggest prima-facie his involvement with crime in question.

6. It is submitted that merely on the ground of criminal antecedents prayer of bail of petitioner should not ordinarily be rejected, if merit of the case appears in favor of petitioner. In support of his submission Mr. Narain relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of Uttar Pradesh and Another, [(2020) 11 SCC 648]**. While concluding the argument it is submitted that



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

7. Learned APP duly assisted by learned counsel for the informant while opposing the prayer for bail submitted that petitioner was found actively involved in the occurrence, where father of informant was brutally killed in broad daylight.

8. In view of aforesaid factual submission and by taking note of fact as allegation of firing is not available against this petitioner as he was in judicial custody in another case as lodged by same informant, where implication prima-facie appears to be raised on the basis of suspicion, coupled with the fact as petitioner remains in custody since 26.10.2024, accordingly above named petitioner, is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 597 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 Judicial Magistrate 1st Class, Hajipur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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