

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55240 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- GOVINDGANJ District- East Champaran

Abhimanu Kumar @ Abhimannu Kumar @ Abhimanyu Kumar Son of
Jitendra Raut Village- Sareya Mishrain tola, Ps -Paharpur District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the State : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 103(1), 61(2), 3(5) of the
B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution is that the
informant's husband, who initially appeared to have died on
account of an accident, was subsequently found to have died
due to firearm injury, as was found in the postmortem. It has
been alleged that her brother-in-law Laukesh Pandey,
neighbour Manoj Pandey have killed him in order to grab his
property.

4. Learned counsel for the petitioner submits that it
would be evident from the first information report itself that



Laukesh Pandey and Manoj Pandey have been specifically named in the first information report whereas the name of the petitioner does not feature in the same. The name of the petitioner has rather transpired during the course of investigation in the confessional statement of co-accused Babar Azam in paragraph no.53 of the case diary showing the complicity of the petitioner, however even in the said confessional statement the allegation of firing shot has been specifically levelled at co-accused Babar Azam and Rohit. It has further been submitted that the case of the petitioner stands on different footing from that of Laukesh Pandey and others whose prayer for bail has been rejected by a Co-ordinate Bench of this Court on the ground that they are either named in the F.I.R. or there has been some recovery from their possession and they have been arrested on the basis of their self confessional statement, whereas there is no recovery from the possession of the petitioner and the name has only transpired subsequently in the confessional statement before the police having no evidentiary value. Further, the petitioner has been languishing in custody since 07.01.2025 and the report received from the Trial Court reveals that out of 16 prosecution witnesses, 8 witnesses have been examined up till now thereby



indicating the fact that there is no likelihood of trial to be concluded in near future.

5. Learned APP for the State opposed the grant of bail on the ground of allegations made in the first information report as also materials collected during the course of investigation.

6. Taking into account the facts and circumstances and also considering that the specific allegations of firing at the deceased is levelled at different persons according to the first information report and also material in the case diary and further considering that the petitioner has been languishing in custody since 07.01.2025 and there is no likelihood of the trial to be concluded in near future, the above named petitioner is directed to be enlarged 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 Court below where the case is pending/successor Court in connection with Gobindganj P.S. Case No.02 of 2025 subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every



date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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