

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47841 of 2025

Arising Out of PS. Case No.-569 Year-2021 Thana- RUPASPUR District- Patna

=====

Amit Kumar @ Abhitav Kumar S/o Mukesh Ram R/o Chirora Nahar, P.S.-
Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 05-12-2025 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 302 read with 34 of the
Indian Penal Code.

3. The allegation in the first information report is
that the petitioner along with others is alleged to have assaulted
the brother of the informant as a result of which he died during
the course of treatment.

4. The learned counsel for the petitioner submits
that it would be apparent from the first information report itself
that the entire case is based only on suspicion as there is no
eye-witness to the occurrence and as a matter of fact, it was one
co-accused Sagar Sahni, who came and informed the informant



about his brother being in a seriously injured condition and took him to the hospital where this petitioner along with one co-accused Rohit Kumar was present. It is indicative of the fact that he did not have any role in the assault upon the deceased and he had made no effort to flee away. It has further been submitted that only material against the petitioner is the self confessional statement before the police which has no evidentiary value in the eye of law and further, co-accused Sagar Sahni whose name also figures as an accused in the F.I.R. has already been granted bail by a Co-ordinate Bench of this Court vide order dated 11.07.2025 passed in Cr. Misc. No.14585 of 2023 (Annexure-2) and the petitioner is in custody since 27.10.2024 and charges have already been framed in the case.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the first information report.

6. Taking into consideration the facts and circumstances and also considering the fact that the case rests only on suspicion and the petitioner has remained in custody since 27.10.2024 and the charges have already been framed coupled with the fact that similarly situated co-accused has



already been granted bail by a Co-ordinate Bench of this Court, let the above named petitioner, 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 Additional Sessions Judge-V, Danapur/concerned Court below in connection with Rupaspur P.S. Case No. 569 of 2021 subject to condition that:-

(i) 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)

anand/-

U		T	
---	--	---	--

