

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47661 of 2025

Arising Out of PS. Case No.-442 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Rajdeep Kumar, S/o Rajendra Mahto, Resident of Village-Patapara, P.S.-
Bibhutipur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Bibhutipur P.S. Case No.442 of 2024 registered for the offences punishable under Sections 103(1), 238 and 61(2) read with 3(5) of the Indian Penal Code (in short 'IPC').

3. The accused/petitioner is not named in the FIR and is in custody since 28.12.2024.

4. As per FIR, the son of informant went outside the home along with unknown persons on 18.12.2024 at about 4.00 pm and after passing considerable time, upon repeated calls, he could not contacted over phone and for said reason, the present FIR was lodged. Subsequently, the dead



body of the son of the informant was recovered.

5. It is submitted by learned counsel that the name of this petitioner has been transpired during investigation out of confessional statement of co-accused Shubham Kumar @ Rafttar, in furtherance of which, no incriminating material recovered/surfaced during investigation as to connect petitioner *prima facie* with present occurrence of murder. It is submitted that the said co-accused Shubham Kumar @ Rafttar has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.36576 of 2025 dated 06.08.2025. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *paima facie* save and except suspicion arising out of confessional statement of co-accused, as



discussed aforesaid, nothing incriminating appears against this petitioner as to connect him *prima facie* with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 28.12.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-I, Samastipur in connection with Bibhutipur P.S. Case No.442 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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