

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47372 of 2025

Arising Out of PS. Case No.-513 Year-2024 Thana- ALAMGANJ District- Patna

Deepak Kumar S/o Sudhakar Kumar R/o Village- Logain, P.S.- Amarpur,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 08-10-2025 Heard Mr. Md. Najmul Hodda, learned counsel for
the petitioner and Mr. Rajendra Prasad Nat, learned APP for the
State.

2. The petitioner has prayed for bail in connection
with Alamganj P.S. Case No. 513 of 2024 registered for the
offence punishable under Section 302/34 of the Indian Penal
Code.

3. The case of the prosecution is that the son of the
informant, namely, Pritam Kumar (deceased), came to Patna
from Delhi with his friend Suraj and started living with the
petitioner. The deceased earlier told the informant that he was
living with Suraj and Deepak at Patna. On 17.06.2024, Deepak
Kumar informed the informant that Pritam Kumar was ill and
called the informant with cash. The informant tried to contact



the deceased, but he could not. He was also not told as to where he has to come at Patna. On the same day, at night, Deepak Kumar told the informant that Pritam was admitted to NMCH, and after that, he disconnected the phone. When the informant came to NMCH, he found the body of his son, and he also found that the deceased had many injuries and his right leg was fractured. The informant believes that Deepak and Suraj have committed murder with the help of their associates.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He also submits that in this case, the deceased has gone with the petitioner of his own will. The petitioner has informed the informant regarding the illness of the deceased. Despite that, the informant did not choose to contact the deceased. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 07.03.2025.

5. The application for bail is vehemently opposed by the learned counsel for the informant and the learned APP for the State. The learned counsel for the informant submits that from perusal of the *post-mortem* report, it will transpire that the deceased had *ante-mortem* injuries. There were multiple



abrasions and bruises, and the doctor has opined that the cause of death is due to *asphyxia* caused by pressure/force on the neck. He also submits that from perusal of the case diary, it is also clear that the deceased had rushed to NMCH from the room of this petitioner, and the driver has given his statement before the police in which he has stated that the deceased was in an unconscious position. The cause of death as opined by the doctor is not natural, and the deceased also had multiple injuries on his person. Though it is not a case of direct evidence yet, it is not denied that the deceased was rushed to the hospital from the room of the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail, however, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

7. Accordingly, the present bail application of the petitioner stands rejected.

(Ashok Kumar Pandey, J)

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