

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52114 of 2025

Arising Out of PS. Case No.-1411 Year-2024 Thana- PHULWARISHARIF District- Patna

Amit Kumar S/o Moti Yadav R/o village- Anda Pakauli, PS- Phulwarisharif,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Narayan

For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 82 of 2025 arising out of Phulwarisharif P.S. Case No. 1411 of 2024 dated 19.09.2024 registered for the offences punishable u/s 103(1), 238 of the B.N.S.

3. As per the prosecution case, the informant Amit Kumar has alleged that on 17.09.2024, his brother Aryan Kumar aged about 15 years was taken by the petitioner Amit Kumar s/o Moti Yadav R/o- Phulwarisharif P.S. Patna along with unknown person and later on the dead body of Aryan Kumar was found at Phulwarisharif Police Station. It is further alleged by the



informant that the petitioner Amit Kumar along with an unknown person has committed murder of his brother Aryan Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 17.09.2024 but the FIR was lodged on 19.09.2024 and there is no explanation for this delay. The petitioner has no concern with the alleged offence. There is no eyewitness to the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.09.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation against the petitioner and the co-accused persons is that they committed murder of Aryan Kumar. Learned counsel has further submitted that the petitioner has confessed in his confessional statement that he along with other co-accused committed the murder of Aryan Kumar by pressing his neck with a green colour Gamcha. From the perusal of post-mortem report, the cause of death is due to asphyxia and venous congestion as a result of ligature strangulation. It is further submitted that at the instances of the petitioner, a Gamcha was



recovered from the possession of the co-accused Jitendra Kumar. It is further submitted that the deceased was last seen alive with the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

guddukr/-

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