

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50849 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- SAHJAHANPUR District- Patna

Manish Kumar Son of Mahendra Prasad Resident Of Village - Bara Bigha,
P.S.- Hilsa, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Kumar Ambastha, Adv.
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Madhurendra Kumar, Adv.
		Mr. Sanjiv Kumar, Adv.
		Mr. Ratneshwar Prasad, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-10-2025 Heard learned counsel for the petitioner and Mr. Choubey Jawahar, learned APP for the State as also learned counsel for the informant. Perused the case diary.

2. The petitioner seeks bail in connection with Shahjahanpur P.S. Case No. 08 of 2025 instituted for the offences under Sections 103(1), 61(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the petitioner is of being involved in killing of the informant's son and his friend.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case in course of investigation. He further submits that the deceased in his last call to his father has taken the name of Golu of firing upon him and his friend and has not taken the name of the petitioner. The name of the petitioner has surfaced in this case on the basis of the Call Details Records (CDR) of FIR named accused Golu Kumar. The police arrested the petitioner and took his confessional statement which has no evidentiary value in the eye of law. Charge-sheet has been submitted in this case. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of firing as per deceased is upon Golu. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 09.03.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that this is a double murder case.



The offence alleged is serious in nature. The petitioner has also confessed his guilt of being involved in the alleged occurrence. Charge-sheet has been submitted in this case and the cognizance has also been taken by the learned court below. Postmortem report supports the prosecution case.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case and keeping in view the nature of allegation, gravity of the offence, materials available in the case diary as also the postmortem report of the deceased, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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