

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52116 of 2025

Arising Out of PS. Case No.-905 Year-2023 Thana- KANTI District- Muzaffarpur

1. Arjun Kumar @ Arjun Sah S/o Raushan Sah Resident of Village- Sarmaipur Dhamauli, Ramnath, P.S.- Kanti, Dist- Muzaffarpur
2. Birendra Kumar @ Birendra Sah S/o Raushan Sah Resident of Village- Sarmaipur Dhamauli, Ramnath, P.S.- Kanti, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Jha, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Kanti P.S. Case No. 905 of 2023 lodged on 04.12.2023 for the offences punishable under sections 341, 323, 307, 379, 504, 506/34 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the FIR has been lodged against three named accused persons, including the petitioner. It is alleged therein that the accused persons abused and assaulted the informant with a knife and snatched ₹10,000/- and a mobile phone from the informant's brother.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Their antecedents are clean. There is no specific allegation in the FIR identifying who inflicted the knife injury on the informant. The present case has been instituted on frivolous grounds, as the informant had taken a loan of ₹20,000/- from petitioner no. 1 during Chhath Puja, with the assurance that the amount would be deducted from their daily wages upon their return from the village. When petitioner no. 1 later demanded repayment or asked them to resume work, they refused and allegedly fabricated the case, implicating not only the petitioner but all the members of their family. Learned counsel further submits that subsequent to lodging the FIR, the informant was found dead in a mango orchard belonging to one Rajdev Kushwaha, for which a separate FIR, being Kanti P.S. Case No. 914/2023, was registered, raising suspicion against the petitioners and their family members. The petitioners are real brothers and are engaged in employment outside the State.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that, as recorded in the impugned order, Kanti P.S. Case No. 914 of 2023 had earlier been lodged against the petitioners and others for threatening to kill the informant, and thereafter, they allegedly committed the murder



of the informant.

6. In this background, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail of the petitioners in connection with Kanti P.S. Case No. 905 of 2023, pending before the learned ACJM-III, West, Muzaffarpur is hereby rejected.

(Dr. Anshuman, J)

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