

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60218 of 2025**

Arising Out of PS. Case No.-29 Year-2025 Thana- KOILWAR District- Bhojpur

Sujit Kumar, Son of Anil Kumar, Resident of Village-Koilwar, Ward No. 4,
Police Station- Koilwar, District- Bhojpur (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Sinha, Advocate

For the Opposite Party/s : Md. Iftekhhar Mahmood, APP

For the Informant : Mr. Ravi Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel for the informant.

2. The accused/petitioner seeks bail in connection

with Koilwar P.S. Case No.29 of 2025 registered for the

offences punishable under Sections 103(1), 61(2) of the

Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.') and Section

27 of the Arms Act.

3. The accused/petitioner is named in the FIR and

is in custody since 24.03.2025.

4. As per FIR, the murder of son of informant was



committed by named accused persons including this petitioner after calling from his home. The deceased son of informant was called by co-accused Vikash Kumar and Vishal Kumar, whereas a threatening was advanced by co-accused Nagendra Rai and Pintu on previous occasion, as the deceased was in continued relation with Tinu Kumari daughter of co-accused Nagendra Rai even after her marriage. The informant seen accused/petitioner and other co-accused persons fleeing from place of occurrence and found one of the co-accused namely, Vishal Kumar waving pistol in air.

5. It is submitted by learned counsel appearing for the petitioner that the petitioner has falsely been implicated merely on the basis of suspicion being a co-villager. It is submitted that petitioner was neither named as co-accused, who alleged to call deceased from his home nor with co-accused who alleged to threaten the deceased son of informant on previous occasions. It is also pointed out that admittedly the informant is not the eye-witness of the occurrence and merely on the basis of suspicion of previous threat, the petitioner was implicated with present case. 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 found involved in one more criminal case, where he is on bail.

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 the petitioner was not involved either in calling the deceased from his home or to advance threat as alleged before the occurrence, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 24.03.2025, 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 Chief Judicial Magistrate, Bhojpur at Aara in connection with Koilwar P.S. Case No.29 of 2025, 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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