

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56150 of 2025

Arising Out of PS. Case No.-341 Year-2023 Thana- BARARI District- Katihar

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Bikram Kumar, S/o Sri Kulanand Sindhi, R/o Village- Bakki Kol (Sikat), P.S.-
Barari, District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr. Pawan Kumar Singh, Advocate
	Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Barari P.S. Case No.341 of 2023 registered for the offences punishable under Sections 302 and 201 read with 34 of the Indian Penal Code (in short 'IPC').

3. The accused/petitioner is named in the FIR and is in custody since 06.03.2025.

4. As per FIR, the petitioner in the evening of 14.10.2023 called the brother of informant along with other named co-accused persons. Later on, he was done to death by all of them and dead body along with motorcycle and mobile phone were concealed in a ditch.



5. It is submitted by learned counsel appearing for petitioner that the dead body was recovered on 18.10.2023. The inquest report was prepared on the same very day and postmortem was also conducted on same day but, at no point of time, any allegation *qua* petitioner was raised but, surprisingly, after inquest and postmortem on 19.02.2023 at the time of institution of FIR, the petitioner was named as an accused with present occurrence. It is submitted that the allegation raised in view of suspicion. 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 is a man of clean antecedent. It is pointed out that there is no eye witness to the alleged occurrence or even on the point of last seen. It is submitted that similarly situated co-accused namely, Nanku Kumar @ Satyam Kumar was granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.60733 of 2024 dated 26.10.2024 and, therefore, the petitioner also deserves bail on the ground of judicial parity.



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 *prima facie* the petitioner named with present occurrence on the basis of suspicion, that too, after preparing inquest and conducting postmortem, coupled with the fact that investigation of this case is already completed, where petitioner, being a man of clean antecedent, remains in custody since 06.03.2025, 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 A.C.J.M.-1st, Katihar in connection with Barari P.S. Case No.341 of 2023, 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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