

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56444 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- Bodhibigaha District- Gaya

Pankaj Kumar son of Raj Kumar Paswan village- Bhokaha, Ps- Bhadwar
(Dumariya), Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr .Arvind Kumar Singh, Adv

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Bodhibigha P.S. Case No. 79 of 2024 registered for the offences

under Sections 309(6) and 103 of the Bharatiya Nyaya Sanhita.

3. The petitioner is not named in the F.I.R. and is in

custody since 26.12.2024.

4. As per FIR, when informant, who is petitioner was

returning along with his wife from Aurangabad on 10.12.2024 was

surrounded by four unknown persons between village Rampur and

Mahudi Aahar, who looted cash of Rs. 8,000/- and one Samsung

mobile from his wife. When one of the unknown miscreant pointed

out pistol towards informant/petitioner the wife of petitioner came

forward and caught hold him, where during the scuffling one of the



co-accused person open fired upon wife of petitioner, leading to his death during the treatment at Dumariya Govt. Hospital. FIR was lodged on 12.12.2024.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner intentionally implicated by co-accused persons through their confessional statement as to mitigate the allegations against them. It is further submitted that during the course of investigation no incriminating material recovered/surfaced, which may connect prima-facie involvement of this petitioner with the present crime in question. It is submitted that petitioner was leading happy married life with deceased and no allegation was ever raised by the parents of deceased wife against petitioner. While concluding the argument it is submitted that, petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as petitioner is informant of this case, who appears implicated through confessional statement of apprehended co-



accused persons, in furtherance of which no incriminating material recovered/surfaced as to connect petiitoner with the present crime in question, coupled with the fact as petitioner remains in custody since 26.12.2024, accordingly above named petitioner, is directed to be released on bail in connection with Bodhibigha P.S. Case No. 79 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Sherghatti, Gaya/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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