

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61170 of 2025

Arising Out of PS. Case No.-159 Year-2024 Thana- PANCHRUKHI District- Siwan

Arvind Kushwaha S/o Brijlal Kushwaha @ Birjal Singh R/o Vill- Mathiya
Makhanpur, P.S.- Pachrukhi, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal, Sr. Advocate
	Mr. Binod Kumar Sinha, Mr. Ajay Kr. Pd, Adv
For the Opposite Party/s :	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Pachrukhi P. S. Case No. 159 of 2024 in a case registered for the
offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

3. The case of the prosecution is that this petitioner
along with other co-accused persons are said to have killed the
deceased for dispute over orchestra.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Learned counsel for the
petitioner has further submitted that from perusal of the FIR, it
is clear that informant is not an eye witness of the alleged



occurrence. Three boys have gone with the deceased they are Badal, Pawan and Golu. From perusal of the diary, it is clear that I.O has not recorded the statement of these three witnesses who are the eye-witnesses of the case rather confessional statement of one co-accused Karan Kumar has been recorded. In his confessional statement, he has stated that this petitioner was also involved in the occurrence. There is nothing except confessional statement against the petitioner. Petitioner claims clean antecedent and he is in custody since 28.02.2025.

5. However, learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation, clean antecedent and period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Siwan in connection with Pachrukhi P. S. Case No. 159 of 2024.

(Prabhat Kumar Singh, J)

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