

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61259 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- SAHPUR District- Patna

Vivek Kumar @ Vivek Kumar Singh @ Rahul Singh S/o Shivjee Ray
Resident of Bandhua Chhapra, P.S.- Bhore, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 1512 of 2025 arising out of Shahpur P.S. Case No. 85 of 2025 dated 27.02.2025 registered for the offences punishable u/s 103(1) read with section 3(5) of the Indian Penal Code.

3. As per the prosecution case, on 26.02.2025 at around 7:15 PM, a call was received on the informant's mobile number 9572740059 from the number 9262878477 by a person identifying himself as "Doctor Sahab", asking for whereabouts of the mother of the informant. At that time, the mother of the informant was working at the residence of one Diwakar Ji.



Thereafter, the informant's mother went to meet the " Doctor Sahab". Later on the informant, called her mother but the said phone call was unanswered and the phone of the said person (Doctor Sahab) was also found switched off. On the next morning on 27.02.2025 at around 5:45 AM, the informant came to know that a woman's dead body was lying in a mango orchard. Upon reaching the spot, the informant identified the body as her mother.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Vicky Kumar. The petitioner in his confessional statement has stated that the co-accused Vicky Kumar took the deceased to the mango orchard and stabbed in her stomach with knife. The co-accused also inflicted blows on other parts of her body. The Postmortem report of the deceased shows that the cause of death is due to haemorrhage and shock of the lung penetrating injury leading to cardio-arrest. There is specific allegation against the co-accused Vicky Kumar of inflicting blows of knife on deceased. The co-accused Vicky Kumar in his confessional statement, has stated that the petitioner slit the



throat of the deceased, however, on perusal of the postmortem report, there is no any injury found on the throat of the deceased. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with Sessions Trial No. 1512 of 2025 arising out of Shahpur P.S. Case No. 85 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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