

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66742 of 2025

Arising Out of PS. Case No.-274 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Milan Kumar S/o- Wakil Das R/o- Madhu Chhapra, P.S. Pipra, Dist. East Champaran, Motihari

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ansul, Sr. Advocate
		Mrs.Supriya Kumari, Advocate
For the State	:	Mr.Shailendra Kumar Singh, APP
For the Informant	:	Mr.Lalit Kumar Singh, Advocate
		Mr.Rohit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-11-2025 Heard Mr. Ansul, learned senior counsel appearing on behalf of the petitioner and learned A.P.P. for the State duly assisted by Mr. Lalit Kumar Singh, learned counsel for the informant.

2. The accused/petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 274 of 2025 registered for the offences under Sections 130(1), 61(2), 238 of the Bhartiya Nyay Sanhita, 2023 (in short, the ‘B.N.S.’).

3. The accused/petitioner is named in the First Information Report and is in custody since 04.04.2025.

4. As per FIR, wife of informant was killed while his daughter-in-law was the only female member present in the



house.

5. Mr. Ansul, learned senior counsel appearing on behalf of the petitioner submitted that admittedly present occurrence, as per FIR, took place when the daughter-in-law of the informant being the only female member was present in the house. It is submitted that in the background of said suspicion, the daughter-in-law of informant was arrested by police, who in police custody, confessed to commit murder of her mother-in-law alongwith this petitioner with whom she was in relationship prior to her marriage.

6. It is submitted that on the basis of confessional statement of co-accused/daughter-in-law namely, Priya Raj, this petitioner was apprehended, and his self-confession was also recorded, who also admitted to involved in the murder in police custody but, in furtherance of aforesaid confession of co-accused and self confessional statement of this petitioner, nothing incriminating appears recovered/surfaced during investigation, which may connect the petitioner with the present occurrence of murder.

7. It is further submitted that there is nothing in



support of even relationship as confessed. It is submitted that seizure list only suggests the seizure of mobile phone of this petitioner and also of co-accused namely, Priya Raj, which are their personal mobile.

8. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

9. Learned A.P.P. for the State is present.

10. Mr. Lalit Kumar Singh, learned counsel for the informant, while opposing prayer for bail of the petitioner, submitted that this petitioner confessed through his confessional statement *qua* his involvement in the present crime in question, however, he failed to point out that any incriminating material out of said confession recovered by police during investigation as to connect the petitioner with the present crime in question.

11. In view of aforesaid factual submission and by taking note of the fact as save and except suspicion arising



out of confessional statement of co-accused and also from the self-confession of petitioner as made in police custody, *prima facie* nothing incriminating appears recovered during investigation as to connect the petitioner *prima facie* with present crime in question, coupled with the fact that petitioner, who is a man of clean antecedent, remains in custody since 04.04.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hazipur/concerned court, in connection with Hajipur Sadar P.S. Case No. 274 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.") with further condition:

(I) That petitioner shall not made any attempt to delay trial, failing so, the State/informant shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner,



which shall be decided by trial court itself after giving opportunity of hearing to the petitioner.

(ii) Accused/Petitioner shall physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J)

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