

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62814 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- PAKRIDAYAL District- East Champaran

Kundan Kumar S/o Uday Narayan Singh R/o Village-Ajgari, Ward No. 08,
P.S.- Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Adv
	:	Mr. Hemant Ray, Adv
	:	Mr. Harsha Shashwat, Adv
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-10-2025 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

Pakaridayal P.S. Case No. 35 of 2025 registered for the offences

under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita

and Section 27 of the Arms Act.

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

custody since 11.07.2025.

4. As per FIR named co-accused persons committed

murder of husband of informant on 27.01.2025 after calling him

from home at about 8:00 PM.

5. Learned counsel appearing on behalf of the petitioner

submitted that after investigation police submitted charge-sheet



against named co-accused persons except one Ranjit Singh, where during course of investigation it transpires that informant herself found in conversation with some person on the day of occurrence. It is pointed out that considering doubtful conversation of informant, the police suspected informant herself to be involved in crime in question and thereafter on the basis of CDRs and further investigation arising out of suspicion one co-accused namely Kunal was apprehended, who confessed his involvement in committing murder of husband of informant on instance of informant herself. It is pointed out that during confession said apprehended co-accused Kunal named this petitioner, in furtherance of which no incriminating material appears recovered/surfaced as to connect him with present crime in question. It is pointed out that being nearby co-villager, talking on mobile is a general phenomenon and merely on the basis of CDRs it cannot be said that petitioner was involved with present crime in question.

6. Arguing further, it is submitted that in view of two different charge-sheets the entire case of prosecution becomes doubtful and on this ground alone petitioner deserves bail. While concluding the argument it is submitted that, petitioner found involved in seven more cases, 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.

7. Learned APP appearing on behalf of the State, while opposing the prayer for bail could not disputed aforesaid factual submission as advanced. However, it is submitted that this petitioner was in love affairs with informant as per investigation.

8. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused as discussed aforesaid prima-facie nothing incriminating appears during investigation as to connect petitioner with the present crime in question, coupled with the fact as petitioner remains in custody since 11.07.2025, accordingly above named petitioner, is directed to be released on bail in connection with Pakaridayal P.S. Case No. 35 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-8th, East Champaran, Motihari/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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