

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78539 of 2024

Arising Out of PS. Case No.-773 Year-2023 Thana- SAHPUR District- Patna

Raju Kumar Son of Mithu Ray @ Mithu Kumar Resident of village-
Hetanpur, Ps- Shahpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 7164 of 2025

Arising Out of PS. Case No.-773 Year-2023 Thana- SAHPUR District- Patna

Chandan Kumar S/O Sri Mithu Rai @ Mithu Kumar R/O Village- Hetanpur,
P.S- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 78539 of 2024)
For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Informant : Mr. Alok Kumar Rahi, Advocate
For the State : Mrs. Renu Kumari, APP
(In CRIMINAL MISCELLANEOUS No. 7164 of 2025)
For the Petitioner/s : Mr. Vaishnavi Singh, Advocate
For the Informant : Mr. Alok Kumar Rahi, Advocate
For the State : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Shahpur P.S. Case No. 773 of 2023 dated 16.12.2023 registered
for the offences under Sections 363 and 365/34 of the Indian
Penal Code to which Sections 302, 307, 120(B) of IPC were



added subsequently.

3. The prosecution story in short is that the informant's son Abhishek Kumar had love affair with one Nisha Kumari due to which her maternal uncles threatened to kill his son. It is further alleged that on 14.12.2023 Nisha Kumari called the informant's son and since then the informant's son did not return to his house.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is no specific allegation against the petitioner Raju Kumar and the only allegation against petitioner Chandan Kumar is that he caught hold the victim girl, Nisha Kumari. It is further submitted that victim Nisha Kumari in her statement recorded under Section 164 of the Cr.P.C. has stated that her maternal uncle Sudhir Kumar has killed the informant's son Abhishek Kumar by strangulation whereas two others namely, Sudhir and Chandan (petitioner in Cr. Misc. No. 7164 of 2025) caught hold her. She has not made any allegation against the petitioner Raju Kumar. It is also submitted that the petitioners are in custody since 02.03.2024 and 27.03.2024 respectively and have no criminal antecedents.

5. Learned counsel for the petitioners has lastly



submitted that Co-accused Govinda Kumar has been granted bail vide order dated 18.09.2024 passed in Cr. Misc. No. 43914 of 2024 by a Coordinate Bench of this Court.

6. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the fact that there is no specific allegation against the petitioner Raju Kumar and the only allegation against petitioner Chandan Kumar is that he caught hold the victim girl Nisha Kumari, let the petitioners, above named, be released on bail on each of them furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur in connection with Shahpur P.S. Case No. 773 of 2023.

(Sourendra Pandey, J)

Prakash/-

U			
---	--	--	--

