

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71944 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- KURTHA District- Jehanabad

Jitan Kumar Son of Chandrama Sharma R/o Village - Pirhi, P.S. - Kurtha,
Dist. - Arwal.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-11-2025 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 S. Tr. No. 300 of 2025 arising out of Kutha P.S. Case No. 120 of 2024 dated 17.04.2024 registered for the offences punishable u/ss 302 and 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, six years old informant's son had gone to watch Tilak Ceremony at the house of the co-villager, and when he did not return, the informant started searching him. In the meantime, he heard some sound near the bamboo grove and when he searched near the same, he saw the petitioner and other accused persons fleeing from the



spot. However, villagers caught some of them and the dead body of the informant's son was recovered from the said bamboo grove.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case merely on suspicion. It is further submitted that some unknown criminal killed the informant's son but the informant's side caught hold of the some innocent persons on suspicion and assaulted them brutally in which Jai Ram Sharma died during the course of treatment in the hospital. The nephew of the deceased Jai Ram Sharma namely Nagesh Kumar who lodged Kurtha P.S. Case No. 122 of 2024 (Annexure-2) dated 17.04.2024 against the informant and the others. Later on, Nagesh Kumar also died in the hospital during the course of treatment. Learned counsel has further submitted that the petitioner is the brother of Nagesh Sharma and nephew of Jairam Sharma. Both persons have been killed by the informant's side in very heinous manner. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by the Coordinate Bench of this court vide order dated 29.08.2025



passed in Cr. Misc. No. 21645/2025. The charge-sheet has been submitted against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.03.2025.

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, Arwal (Jehanabad) in connection with S. Tr. No. 300 of 2025 arising out of Kutha P.S. Case No. 120 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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