

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78671 of 2024**

Arising Out of PS. Case No.-243 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Vicky Kumar @ Rohit Kumar Singh S/o- Late Pappu Singh Village- Rampur  
Khurd, PS- Sahebganj, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Awnish Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      14-02-2025      1. Heard learned counsel for the petitioner Mr. Kumar Gaurav, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 120(B) and 34 of the Indian Penal Code & Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his son (deceased) works at Arunachal Pradesh and on 05.05.2024, he had come home and use to roam around with Kamlesh, further on 12.05.2024 at 11.00 A.M., Kamlesh took his son on a motorcycle for roaming around but at 1.30 P.M., the chowkidar informed that his son has been shot at the high school and has been taken to the hospital, accordingly the



informant reached the hospital where his son was declared dead by the doctor. It is next alleged that petitioner, Kamlesh and Abhishek always stays with Kamlesh, thus alleges based on suspicion that accused were involved in killing of his son.

4. The learned counsel appearing on behalf of the petitioner submits that from bare perusal of allegation as alleged in the F.I.R., it would manifest that informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that it was Kamlesh with whom the deceased had accompanied on the date of occurrence and petitioner was not even present when the deceased had accompanied Kamlesh. It is next submitted that during the course of investigation it transpired that the deceased was friend of son of Pappu Singh namely Nityam and in the murder case of Nityam, the deceased was implicated as an accused as such Pappu Singh was harboring grudge against the deceased hence he conspired and planned the entire occurrence. It is further submitted that during the course of investigation it has also come that Sudhanshu Singh @ Sudhanshu Kumar was hired by Pappu Singh for killing the deceased and the petitioner is alleged to have confessed in his confessional statement before the police that it was Sudhanshu who fired killing the deceased.



It is also submitted that during the course of investigation it transpired that this petitioner was deputed for giving information to Sudhanshu about the deceased but then it is submitted that the investigation for the present cannot be treated as sacrosanct as the same has to stand the scrutiny of the criminal trial and petitioner is a person with clean antecedent and is in custody since 05.07.2024. It is next submitted that Kamlesh had approached this Court seeking bail by filing Cr. Misc. No.71557/2024 and the same was allowed by an order dated 13.12.2024.

5. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the prayer for bail of the petitioner and the learned counsel for the informant submits that during the course of investigation it has come that Pappu Singh had hired Sudhanshu for committing the occurrence and he killed the deceased. It is also submitted that Sudhanshu Singh has antecedent of seven serious cases but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner was implicated based on suspicion in the F.I.R. and no role has been assigned to the petitioner during the course of investigation of killing the deceased.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.25000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur, in connection with Sahebganj P.S. Case No.243/2024.

7. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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