

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73256 of 2025

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

Abhishek Kumar @ Ashivan Kumar @ Ashvini Kumar S/o Manoj Kumar Singh, Resident of Village- Ajgari, P.S.- Pakri Dayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 103(1) and 3(5) of the B.N.S., 2023 and under Section 27 of the Arms Act.

3. As per prosecution case, on 27.01.2025 at about 08:00 PM, all named accused persons took away the husband of informant and killed him by means of fire-arm and threw the dead body in the land of Lalit Singh besides the canal.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and name of petitioner transpired during the course of investigation on the



basis of confessional statement of co-accused Kunal Kumar. It is the specific case of the informant that FIR named accused persons took away the husband of the informant and thereafter, killed him. In the entire FIR, there is no whisper about the petitioner or any suspicion has been raised against these petitioner. Save and except the confessional statement of the co-accused person, there is no material on record to show the complicity of the petitioner in the present case.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner is not named in the FIR and except the confessional statement of the co-accused person, there is no material on record to show the complicity of the petitioners in the present case, let the petitioner, above-named, in the event of his arrest / surrender before the learned trial Court within a period of eight weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, East Champaran, Motihari, in connection with **Pakri Dayal P.S. Case No. 35 of 2025**, subject



to the condition as laid down under Section 438(2) of the Cr.P.C.
/ Section 482(2) of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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