

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80407 of 2024

Arising Out of PS. Case No.-487 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Md. Arshad @ Datte S/o Mr. Ali mohammad R/o vill - Sipahpur, ward no. 3,
P.S. - Ahiyapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate Mr. Ajay Thakur, Sr. Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 103(1), 238, 61(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that on 04.08.2024 the informant got information that his son Abhishek Kumar @ Akash Kumar is lying dead at pump house near Shukla Road. On this information, he went to that place and found that his son was lying dead there. On having a look of the dead body it was discovered that there was pool of blood in the back side of the head. A sign of assault was there on his face. The



informant suspects that unknown miscreants have killed his son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During the course of investigation, on the basis of information of spy, Md. Farman and Md. Aman were apprehended. Md. Aman has given his confessional statement and from perusal of his confessional statement it transpires that he has stated that he has assaulted Akash Kumar (deceased). There is no statement regarding the involvement in assault of this petitioner. Except confession, nothing has come against the petitioner. Charge sheet has been filed in this case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 22.01.2025 in Cr. Misc. No. 76135 of 2024. Moreover, the petitioner is languishing in judicial custody since 06.08.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Muzaffarpur Town P.S. Case No. 487 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur.

(Ashok Kumar Pandey, J)

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