

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82563 of 2024

Arising Out of PS. Case No.-925 Year-2022 Thana- NAGAR District- Vaishali

Manish Kumar Son of Vinod Das Resident Of Mohalla- Ward No 10, Andar
Kila Hajipur, Ps- Hajipur Town, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Shrivastav, Sr. Advocate
	:	Mr. Shivjee Singh, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 27-06-2025 Heard Mr. Amit Shrivastav, learned Senior Counsel
for the petitioner and learned APP representing the State.

2. The petitioner is in custody in connection with S.T.
No. 563 of 2023 arising out of Hajipur Town P.S. Case No. 925
of 2022 for the offence punishable under Sections 302, 201 and
34 of the Indian Penal Code, lodged on 11.12.2022 by the
informant Amarjit Kumar.

3. As per the prosecution story, the informant has
alleged that his brother(deceased) had given loan of Rs. 30,000/-
to the petitioner (Manish Kumar). As he was demanding the
amount, on 10.12.2022, the allegation is that he was taken away
by Manish Kumar to Hariharnath Temple by the boat on the
pretext of returning the amount but he got a call from his brother



that he is being assaulted by this petitioner as also other named accuseds and apprehended that he may be killed. Immediately thereafter, his mobile was switched off. The informant rushed to search his brother near Konhara Ghat and saw the accused persons including this petitioner coming from Konhara Ghat on a boat. Although the other accused persons escaped, the informant succeeded in apprehending this petitioner and found the cloth to be wet with blood stains on the boat too. The petitioner further confessed to have killed the informant's brother and thrown the dead body in Gandak river. However, despite search, the dead body could not be found, FIR was lodged and the petitioner was handed over to the police.

4. Earlier while rejecting the bail application of the petitioner on 22.11.2023 in Cr. Misc. No. 73039 of 2023, the Trial Court was directed to conclude the trial within a particular period.

5. This is a fresh application in which a report was called for and as per the report dated 23.02.2025, after framing of the charge four witnesses were examined whereafter the defense objected to the petition preferred by the learned APP seeking permission to examine one charge sheet witness Sanjiv Kumar whereafter the same is still inconclusive.



6. Earlier, the learned APP Mr. Bharat Bhushan submitted that the criminal antecedent report is missing whereafter the same was called for and as per the report of the Superintendent of Police, Vaishali at Hajipur dated 22.04.2025, beside the present case the petitioner is an accused in Town P.S. Case No. 867 of 2022 lodged prior to the present case on 15.11.2022 under section 452, 341, 323, 379, 354, 504, 506 and 34 of the Indian Penal Code.

7. The paragraph no.3 of the bail application records that the petitioner has no criminal antecedent. In that background, since the petitioner chose to suppress the criminal antecedent, for the present, this Court is not inclined to extend him the privilege of bail.

8. Accordingly, the petition stands rejected. The Trial Court is directed to conclude the trial and take the same to its logical conclusion preferably in six months.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

