

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84483 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- KATORIYA District- Banka

Himanshu Kumar @ Himashu Anand S/O Mr.Kameshwar Yadav @
Kameshwar Prasad Yadav Resident of Village- Bhairapur (Kolhua) P.S-
Katoriya District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 1992 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- KATORIYA District- Banka

Shivam Kumar S/O Hareram Ray R/O Mohalla- Pokhanatilha, Ray Bhawan,
near Hindi Vidyapith, Deoghar, Police Station- Deoghar, District- Deoghar,
Jharkhand

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 84483 of 2024)
For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Chandra Bhushan Prasad
(In CRIMINAL MISCELLANEOUS No. 1992 of 2025)
For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 20-03-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners have prayed for regular bail in a

case registered for the offence punishable under section 103 of

the Bhartiya Nyay Sanhita, 2023 of the Indian Penal Code.



3. The case of the prosecution is that on 25.07.2024 Asit Mandal, son of the informant, had gone to Deoghar to offer prayer and when he was returning from there, he went to the bushes for easing himself. Meanwhile, unknown miscreants attempted to snatch the mobile of the informant's son and in that endeavor, they assaulted with '*knife*'. Thereafter, his son was referred to Referral Hospital, Katoriya where he was declared dead. Hence, the present case has been lodged against unknown miscreants.

4. During the course of investigation, one Vikash Kumar was apprehended in connection with Katoriya P.S. Case No. 178 of 2024 and he has given his confessional statement and in his confessional statement, he has confessed his guild and he has named other persons.

5. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in connection with the present case. It is further submitted that except the confessional statement of Vikash Kumar, nothing has come against the petitioner, Himanshu Kumar @ Himashu Anand (petitioner of Cr. Misc. No. 84483 of 2024). In his confessional statement, Vikash Kumar has stated that on the fateful day, he had gone to the shop of Himanshu Kumar @



Himashu Anand.

6. So far as Shivam Kumar (petitioner of Cr. Misc. No. 1992 of 2025) is concerned, learned counsel for the petitioner submits that during investigation, it has come in the confessional statement of co-accused, namely, Vikash Kumar that after the occurrence, accused persons had gone to the lodge of Shivam. Further submission is that his father is an Advocate and having a lodge at Deoghar and nothing to do with the offence. Moreover, the petitioners are languishing in judicial custody since 07.09.2024 and 05.12.2024 respectively.

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

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Katoriya P.S. Case No. 165 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka.

(Ashok Kumar Pandey, J)

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