

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81697 of 2025

Arising Out of PS. Case No.-29 Year-2018 Thana- ASARGANJ District- Munger

Jituwa @ Boro @ Jitendra Kumar @ Jito Ram @ Ranjeet Ram So Late
Shankar Ram Resident of village- Rahmatpur, P.s. - Asarganj, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Asarganj P.S. Case No. 29 of 2018 dated 04.04.2018 registered for the offences punishable under Sections 302, 201, 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that his brother had gone to see Mela on 03.04.2018 at 8 PM along with the petitioner and in Mela his brother Gaurav Kumar was seen in company of the petitioner and the co-accused Golden Miyan but since then he did not return and his dead body was found next day. It is further alleged that the accused persons earlier had threatened the informant and his family members that they



would be killed. It is further alleged that the petitioner and the co-accused persons killed his brother under conspiracy.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per para-75 of the case diary, the name of the petitioner has transpired in this case in the confessional statement of the co-accused, Sachidanand Upadhyaya @ Pinku Upadhyay. It is further submitted that there is land dispute between the petitioner and the co-accused Pinku Upadhyaya and due to land dispute he was made accused in this case. The petitioner has no concern with the alleged offence. The charge has been framed against the petitioner but no prosecution witness has been examined by the prosecution as yet. It is further submitted that there is no likelihood of the conclusion of the trial of the present case in near future. The co-accused person has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 30.09.2019 passed in Cr. Misc. No. 51577 of 2019. The petitioner has two criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 31.01.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the regular bail application of the petitioner was earlier rejected by this court vide order dated 25.03.2025 passed in Cr. Misc. No. 38355/2024.



Learned counsel has further submitted that the allegation of committing murder is against the petitioner and the co-accused persons. The deceased was last seen alive with the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Sessions Trial No. 364/2024 arising out of Asarganj P.S. Case No. 29 of 2018 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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