

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86201 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- ROSERA District- Samastipur

Prabhakar Kumar @ Prabhakar Kumar Yadav, S/O Vijay Kumar Yadav @
Vijay Kumar, Resident of Village-Mohiuddin Nagar Tola, Mabbi, Ward No.-
10, Police Station-Rosera, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 31-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rosera
P.S. Case No. 144 of 2024 dated 25.06.2024 instituted for the
offence punishable under Sections 302, 201 of the Indian Penal
Code and 25(1-B)(a), 26, 27, 35 of the Arms Act.

3. The prosecution case, in short, is that the informant
got information that his brother has been murdered by unknown
miscreants by means of firearms and his dead body was thrown in
Datha Chour.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that F.I.R. has been lodged against
unknown persons and only on the basis of self-confessional
statement of the petitioner, he has been made accused in this case.



Learned counsel for the petitioner submits that there is no eye-witness to the occurrence. It is submitted that as per the F.I.R., the date of occurrence is said to be on 22.06.2024, post-mortem report was commenced on 23.06.2024 at about 12:10 am in the night and the F.I.R. has been lodged on 25.06.2024 after cremation of the deceased. Learned counsel for the petitioner further submits that except confessional statement, no other material has come against the petitioner during the investigation. Lastly, it has been submitted that the petitioner is in custody since 12.08.2024, having no criminal antecedents and charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Rosera, Samastipur in connection with Rosera P.S. Case No. 144 of 2024.

(Khatim Reza, J)

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