

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87617 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Karan Kumar S/o- Rajeev Sah Village- Majhar Patti Ward no 6 PS-
Udakishunganj District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Adv.

For the State : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 08-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103, 3(5) of the B.N.S. and
Section 27 of the Arms Act.

3. The prosecution case in the FIR is that the husband of
the informant, namely, Manish Kumar @ Manish Thakur had
gone along with his friends Suraj Kumar and Raushan Jha. It
has been stated by the informant that one Kritlal informed the
informant that her husband has been killed and thereafter, the
information was also sent to her about the death of her husband
through Raushan Jha.

4. Learned counsel for the petitioner submits that the FIR
in the present case has been lodged against unknown and the

name of the petitioner has transpired during the course of investigation only on the basis of the confessional statement of one of the co-accused, namely, Deepak Kumar whose statement finds reference in para 50 of the case diary. It would appear from the said confession that he has admitted that he had caused the death of the deceased with the help of one Swarndeeep Kumar and further it has been stated that the petitioner and one other has also aided him in the said offence. Learned counsel for the petitioner further submits that the FIR of the present case has been lodged after a delay of two days inasmuch as the occurrence is said to have taken place on 21.07.2024 while the present FIR has been instituted on 23.07.2024 and there is no plausible explanation for such delay. The further submission is that there is no other material collected during the course of investigation to connect the petitioner to the alleged offence except the confessional statement of the co-accused which has no evidentiary value in the eyes of law. It is further submitted that petitioner is in custody since 30.08.2024 and he has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the above mentioned facts and circumstances of the case, the above named petitioner is

directed to be released on bail on furnishing bail bond of Rs.
10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned C.J.M., Katihar in
connection with Muffasil P.S. Case No. 163 of 2024.

(Soni Shrivastava, J)

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