

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87138 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

Rajesh Kumar @ Rajesh Prasad S/o- Late Bhagwan Singh R/o Vill-
Chakdaulat, Ps- Warsaliganj, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the State : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-12-2025 Heard the parties.

2. The petitioner is in custody in connection with Sessions Trial No. 263 of 2025 arising out of Muffasil P.S. Case No. 215 of 2024 for the offence punishable under sections 103(1), 61(2), 238, 317(2) and 3 and 5 of the B.N.S. and section 27 of the Arms Act, lodged on 02.07.2024 by the informant, Rajesh Prasad.

3. As per the prosecution story, the informant turned petitioner alleged in the FIR that his late younger brother's wife had come to his home after the registry and wanted to stay for a day. However, as his mother was ill, informing the lady about illness, requested her to proceed along with him. As they moved on the motorcycle, intercepted near 'Bhagat Singh Chowk' by 6-7 persons on a four wheeler. As they started abusing him, he left the motorcycle and escaped from the place. Later, he heard the firing. As people started gathering, he found his brother's wife lying dead in a pool of blood. This led to the FIR.



4. Investigation took place in the matter and the niddle of suspicion moved towards the informant turned the petitioner, he was picked up and spilled the beans that it was he who executed the entire plan which led to his maternal uncle, Manoj Singh killing the lady.

5. Learned counsel for the petitioner submits that before the Police, he was made to confess and which led to the implication, has already suffered by being in custody since 27.07.2024 and if granted relief, shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

7. Taking into account the submissions of the parties as also the fact that he has remained in custody since 27.07.2024, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-XI, Nawada, in connection with Sessions Trial No. 263 of 2025 arising out of Muffasil P.S. Case No. 215 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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