

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1485 of 2025

Arising Out of PS. Case No.-785 Year-2024 Thana- PHULWARISHARIF District- Patna

Suraj Kumar Son of Manoj Singh Resident of Village - Nayan (Naiyn) Chak,
P.O. - Alampur Gonpra, P.S. - Phulwarisharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-02-2025 1. Heard Mr. Shekhar Kumar Singh, learned counsel for the
petitioner and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Phulwarisharif P.S. Case No. 785 of 2024 dated 05.06.2024
registered for the offence under Section 406, 420, 120B, 302/
34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the first information report on 04.06.2024 in the
evening while the son of the informant namely Vikash Kumar
was at home, he received a call on mobile. One Sanoj Kumar
had called him for negotiation of land for which the informant's
son had paid a sum of Rs. 10 Lakh to the cousin of Sanoj Kumar
namely Suraj Kumar (petitioner). At 8:20 P.M. when the wife of
Vikash Kumar called on his mobile, he told that he was with
Sanoj Kumar, Abhishek Kumar and his friends. Again at 9:00



P.M. when his wife called, his mobile was switched off. On search, at about 3:00 A.M. in the intervening night of 04.06.2024 the Police was informed and at 5:00 A.M. information was received that Vikash Kumar has been murdered and his dead body was found in Dibra Chamber and at some distance Apachi motorcycle of Vikash Kumar was standing.

4. Learned counsel for the petitioner submits that entire allegation as levelled in the F.I.R. is against the co-accused Sanoj Kumar and Abhishek Kumar inasmuch as both of them killed the victim by means of fire arm. He submits that in contradiction to the statement made by the father of the victim in the “fardbyan”, Rishu Kumari - wife of the victim / Vikash Kumar in paragraph no. 28 of the case diary has given statement that it was her husband (victim) who had taken Rs. 10 Lakh from the petitioner- Suraj Kumar. He further submits that there is no eye witness of the alleged occurrence. Even the informant or the wife of the deceased is not an eye witness to the occurrence. He next submits that save and except suspicion, there is no chain of circumstance showing involvement of the petitioner. The petitioner is in custody since 26.07.2024.

5. Regard being had to the submission made by learned counsel for the petitioner and taking into consideration the fact



that the petitioner is named in the F.I.R., being the main conspirator, who after receiving money committed murder of informant's son as well as after going through the impugned order passed by learned Additional Sessions Judge-XXIV, Patna wherein it has been noted that witnesses in paragraph nos. 6 & 20 of the case diary have supported the involvement of the petitioner, I am not inclined to grant bail to the petitioner at this stage. The same is rejected.

6. However, the petitioner may renew his prayer for bail after one year if the trial does not record any substantial progress.

(Anil Kumar Sinha, J)

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