

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89962 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- GANGABRIDGE District- Vaishali

Niraj Kumar S/o Pawan Thakur R/o Village- Mayeel, PS- Biddupur, Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 103(1) , 61 (2) and 3(5)
of BNS 2023 .

3 . As per the prosecution case , on 05.08.2024 at
11.00 AM this petitioner along with other F.I.R., named
accused persons called brother of the informant who went in the
company of accused persons and on the same day at about 2.30
Pm, informant came to know that his brother was lying on
ground in dead condition . With the help of villagers, his
brother was rushed to nearby clinic of Sadhusharan Choudhary
where he was declared dead. Then , informant raised suspicion
that this petitioner along with other co-accused persons in



collusion with each other killed brother of informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case . Only suspicion has been raised against this petitioner. Informant is no eye witness to the alleged occurrence . There is delay of 4 days in lodging the F.I.R., for which there is no plausible explanation for the same . At best, it is a case of last seen with the deceased.

5 . Learned counsel for the State opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he along with other co-accused persons killed the deceased. It is further submitted that it was the petitioner and other co-accused persons who took away the deceased along with them and thereafter deceased was left in dead condition .

6. Considering the nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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