

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3297 of 2025

Arising Out of PS. Case No.-434 Year-2024 Thana- JAMUI District- Jamui

Ritik Kumar S/o- Kailash Paswan Resident of village- Sarari PS- Jamui
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 19-04-2025 Heard learned counsel for the petitioner, the State
as also the informant.

2. The petitioner is in custody in connection with
Jamui P.S. Case No. 434 of 2024 for the offence punishable
under sections 103(1), 238 and 3(5) of the B.N.S. Act
lodged on 12.07.2024 by the informant, Gautam Kumar.

3. As per the prosecution story, both Shubham
Kumar (deceased) and Khushi Kumari used to attend the
same coaching institute at Jamui. On 10.07.2024, the
mobile of Shubham Kumar was switched off and their
common friend Sweta Kumari made a call to the deceased's
father informing that he was in a relationship with Khushi
Kumari and Shubham Kumar may be killed. The deceased



father and uncle started searching for Shubham Kumar which finally was found in a Sarari pond. This led to the FIR.

4. The investigation took place in the matter and the suspects including the petitioner were picked up which led to the disclosure of entire story that Khushi Kumari was in relationship with Amit Kumar, Shubham Kumar was also having one sided love/attraction with her. She was not interested in him, informed Amit Kumar. Thereafter, they conspired and the mobile data of that period clearly shows that this petitioner amongst other was in constant touch with Khushi Kumari. The dead body that was recovered, showed the sign of brutal assault by the accused persons which led to the killing of the Shubham Kumar. Not content with it, if the confessional statement of the petitioner is to be believed, Amit Kumar continued beating with the belt to the deceased despite the fact that he was dead. Subsequently, this petitioner alongwith others threw the body in the pond from where the recovery took place.

5. Learned counsel for the petitioner submits that main role is assigned to Amit Kumar, Khushi Kumari being



conspirator, even going by the confessional statement, he at best abetted the said occurrence. The role of assault is not on him. Learned counsel for the petitioner further submits that one of the accused, Nitish Kumar has been granted bail in Cr. Misc. No. 88899 of 2024.

6. Both the learned counsel for the petitioner counsel for the State as also the informant jointly submitted that he played an active role, was present at the place of occurrence, did not tried to even save Shubham Kumar and actually participated in throwing the dead body in the pond. They further submits that so far as the extension of bail to Nitish Kumar, as recorded above, is concerned, the petitioner cannot equate himself from Nitish Kumar inasmuch as the call data record clearly shows that the petitioner is one of the person who was in constant contact with Khushi Kumari, the deceased, Shubham Kumar being one of them beside Amit Kumar as such, the case of the petitioner is quite different from that of Nitish Kumar.

7. The kind of allegation that has come against the accused persons, petitioner included, and a bare perusal of the postmortem report would show how brutally the young



boy was beaten which led to his death, not content with that, even the dead body was thrown in the pond. In that background, this Court has no reason to extend the privilege of bail to the petitioner.

8. The present bail petition stands rejected.

(Rajiv Roy, J)

Adnan/-

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