

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5838 of 2025

Arising Out of PS. Case No.-143 Year-2024 Thana- RAGHOPUR District- Vaishali

Manish Kumar, Son of Late Lal Bahadur Ray, Resident of Village- Bishanpur
Said Ali, Ward No. 9, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Raghopur P.S. Case No. 143 of 2024 for the offences punishable under Sections 302/201/120(B)/34 of the Indian Penal Code.

3. As per prosecution case, the son of the informant was having affair with the daughter of the co-accused Devendra Ray, who threatened him to desist from his activity. Later on, the son of the informant was murdered and the informant showed her suspicion that the co-accused and others were involved in the murder of her son. The name of the petitioner transpired during investigation for also being involved in the occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner is the son-in-law of co-accused Devendra Ray and has been implicated in this case as the sister-in-law of this petitioner, namely Anjali Kumari, made call to the deceased by using mobile phone of this petitioner. Merely on this ground, the petitioner was apprehended and his confessional statement was extracted. The learned counsel further submits that no one has seen the occurrence and the son of the informant might have been killed by some other person for some other reason, but due to suspicion, the petitioner has been falsely implicated in this case. There is no specific allegation against the petitioner and no overt act has been attributed against him. The allegations are general and omnibus and there is no cogent material against the petitioner showing his involvement. The learned counsel further submits that the petitioner has got clean antecedent and is in custody since 23.07.2024 and charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner confessed his involvement in the murder of son of the informant and his mobile phone was used to call the deceased who came at the appointed place and was killed by the other co-accused persons.



6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner and further considering the period of custody of the petitioner, submission of charge sheet and his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Raghapur P.S. Case No. 143 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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