

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.3432 of 2026

Arising Out of PS. Case No.-522 Year-2024 Thana- SAKRA District- Muzaffarpur

Himanshu Kumar Son of Amrendra Kumar Pandey Resident of village -
Adwara, P.S.- Bariyarpur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the State : Mr.Yogendra Kumar Singh
For the informant : Mr. Santosh kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 4 13-05-2026 1. Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Sakra Police Station Case No. 522 of 2024, dated 13.10.2024, registered for the offences punishable under Sections 137 (2) of the Bhartiya Nyaya Sanhita, 2023. Later on, after recovery of the dead body of the son of the informant, Sections 1036/238/61(2) of the Bhartiya Nyaya Sanhita, 2023 was added on 15.11.2024.
3. The prosecution case, as per the First Information Report, is that on 10.10.2024, at about 7 PM, the son of the



informant, namely, Nitesh Kumar, went to visit Pilkhi Fair on his motorcycle and at about 10 PM, he made a call to the wife of the informant from Mobile No. 9122099690 and told that he is coming within ten minutes. When the son of the informant did not come, he called on the mobile, but the same was switched off. The informant made a hectic search of his son, but he could not find him anywhere.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the First Information Report and his name transpired in this case on the basis of confessional statement of co-accused Manish Kumar. He next submits that co-accused Manish Kumar, in his confessional statement, has admitted that co-accused Sahil Kumar has assaulted the deceased by means of knife, due to which he died. He also submits that the petitioner is working in a private company in the State of Madhya Pradesh and on the date of occurrence itself, he had come to his home. He further submits that the petitioner is in custody since 15.04.2025 and charge sheet has already been submitted



against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for bail and submits that for the first time, the name of the petitioner transpired in the confessional statement of co-accused Manish Kumar, who has confessed that he (Manish Kumar), Sahil and Himanshu (petitioner) has killed the son of the informant. Co-accused Manish Kumar has further disclosed that they have thrown the motorcycle of the deceased in the river and they have also concealed the mobile and the knife under the earth in a polythene near the Babool tree. The confessional statement of co-accused Manish led to the recovery of the weapon (knife) and mobile. The motorcycle of the deceased was recovered from the house of co-accused Manish Kumar. He further submits that the petitioner has confessed before the police that he, along with other two accused persons, called the deceased and the petitioner demanded his money, and on refusal, co-accused Sahil inflicted knife blow on the deceased due to which he died. After that, he, along with others, brought a sack, kept the dead body in that sack and threw the same



in a pond. He further submits that the petitioner has taken active participation in the murder of the deceased. He further submits that the regular bail application of the co-accused Manish Kumar has been dismissed by a co-ordinate Bench of this Court, vide order, dated 28.11.2025, passed in Criminal Misc. No. 55699 of 2025.

- 6. Having heard learned Counsel for the parties and taking into consideration the gravity of the offence and the materials collected during investigation, I am not inclined to grant regular bail to the petitioner.
- 7. This application is, accordingly, dismissed.
- 8. However, the petitioner may renew his prayer after one year from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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