

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4230 of 2026

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

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Ritik Kumar S/o Kailash Paswan R/o Village - Sarari, P.S - Jamui, District –
Jamui. Petitioner/s

Versus

The State of Bihar Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyanka Singh, Advocate
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP
For the informant : Mr. Narsingh Tanti, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-04-2026 Heard the parties.

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. In this case, Trial Court Report was called for and as per the letter no. 46 dated 24.02.2026 all the witnesses have



been examined but only Doctor and the I.O. are/were to be examined.

7. Learned counsel for the informant, Mr. Narsingh Tanti submits that with the passage of time, even the Medical Officer has been examined and only the I.O. is to be examined.

8. Considering the fact that the trial is at its fag end, the petitioner's role is already there, as recorded above, it would be appropriate that he faces trial.

9. The bail application stands rejected.

10. However, since the petitioner is in custody since long, the Trial Court is directed to ensure that the trial is concluded in next six months and if the I.O. is not appearing to take all the steps to ensure his presence including issuance ofailable/non-ailable warrant.

11. The S.P., Jamui is also directed to ensure that the I.O. of the present case appears and depose before the Trial Court.

12. Let a copy of the order be sent to the S.P., Jamui for his perusal and needful.

(Rajiv Roy, J)

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