

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24087 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- MEHANDIGANJ District- Patna

Shivam Kumar @ Chinese S/o Shiv Chandra Ray R/o Guzalbag, Meena Bazar, Domkhana, Station Road, Sadikpur, P.S.- Alamganj, Dist- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Chandra, Adv.
For the State : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

6 02-02-2026 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Mehandiganj P.S. Case No. 138 of 2024, registered for the offences punishable under Section 137(2) of the BNS. Later on, charge sheet was submitted under Section 103(1), 238 and 3(5) of BNS.

3. As per the prosecution case, the informant's son left home on 18.08.2024 at about 8:30 PM for Mahandiganj Railway Gumti, but did not return until the next morning.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. None has seen the occurrence. The statement of the petitioner has been recorded in paragraph no. 30 of the case diary in which he didn't



confess his involvement in the occurrence. He only stated that he consumed smack with the deceased and co-accused Rohit Kumar. Thereafter, Rohit Kumar and deceased started making plans of theft and the petitioner went to his house. Paragraph no. 58 of the case diary shows that co-accused Rohit Kumar and Dablu Choudhary were arrested and both stated that they committed murder of the deceased and threw the dead body near Railway bridge. In the entire case diary, there is nothing which shows the complicity of the petitioner in the alleged occurrence. The petitioner is under custody since 25.08.2024.

5. On the other hand, Mr. Shailendra Kumar, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna City, Patna in connection with Mehandiganj P.S. Case No. 138 of 2024, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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