IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40927 of 2026

CNR No. BRHC010503512026

Arising Out of PS. Case No.-181 Year-2024 Thana- BELHAR District- Banka

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1. Pawan Kumar Das @ Pavan Kumar Das, aged about 31 years, Gender-Male, S/O Basant Das R/O Village- Govindpur, P.S.- Jhajha, Distt.- Jamui.
2. Sachin Kumar, aged about 19 years, Gender-Male, S/O Anjan Das R/O Village- Govindpur, P.S.- Jhajha, Distt.- Jamui.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

6 27-10-2026 Heard Mr. Satya Prakash Parasar, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Belhar P.S. Case No. 181 of 2024 registered for the offence punishable under Sections 302, 201 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 30.05.2024, while the informant, who is chowkidar, was on patrolling duty, he found an unidentified dead body with a gunshot injury on the back of the head, in a canal near Hanumana Dam and informed Belhar Police Station.

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4. Learned counsel appearing on behalf of the petitioners submitted that FIR is against unknown. The petitioners have been made accused in the present case on the basis of confessional statement of one accused Sunil Kumar Ravidas @ Sunil Kumar Das, who is in judicial custody in respect of Gidhaur P.S. Case No. 72 of 2024 and also on the basis of confessional statement made by co-accused Bipin Kumar Das and such confessional statement has no evidentiary value in the eye of law. The petitioners are nowhere concerned with the alleged commission of murder of one Ravi Kumar (the deceased). On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State referring to several paragraphs of the case diary submitted that material has come against the petitioners supported by the wife of the deceased and a veteran criminal, namely, Sunil Kumar Ravidas @ Sunil Kumar Das, whose statement was recorded in police custody and one co-accused Bipin Kumar Das, who disclosed the name of the petitioners. Petitioners have criminal antecedent and they don't deserve to be released on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation

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made in the FIR, which is against unknown and the material, which has surfaced in course of investigation. FIR has been lodged by the local chowkidar, which is supported by the wife of the deceased and other co-villager, I am not inclined to enlarge the petitioners on pre-arrest bail.

7. Considering the age of the petitioners, the petitioners may surrender before the learned District Court and seek regular bail. In that case, the learned District Court may consider to pass a reasoned order and dispose of the bail application of the petitioners in accordance with law preferably same day.

8. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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