

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60657 of 2025

Arising Out of PS. Case No.-773 Year-2023 Thana- SAHPUR District- Patna

Sudhir Kumar S/O Sri Binod Rai @ Vinod Ray Resident of village- Hetanpur,
P.S.- Sahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Advocate
For the State	:	Mr. Jai Narain Thakur, APP
For the Informant	:	Mr. Alok Kumar Rahi, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 13-01-2026 Heard learned counsel for the petitioner as well as
informant and learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Sahpur P.S. Case No. 773 of 2023, registered for the offences punishable under Sections 363, 365, 34 of the IPC and additional Sections 307, 302, 201 and 120B of the IPC

3. The informant is father of the deceased. According to his *fardbeyan*, his son Abhishek Kumar (the deceased) had love and affection with Nisha Kumari. The maternal uncle and uncle of Nisha Kumari were threatening his son. It is further alleged that co-accused Chandan Kumar, Raju Kumar, Manish Kumar, Kishori Rai, Pintu Kumar and Krishna Rai and others, called his son and thereafter, his son is traceless.

4. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in the present case. He is not named in the FIR. The present case has been lodged on 16.12.2023 and Nisha Kumari, with whom, son of the informant (the deceased) had love and affection, has lodged a case on 15.12.2023. Nisha Kumari, in her *fardbeyan*, has stated that she had love and affection with Abhishek Kumar for three years. Her uncle saw her talking with Abhishek Kumar and thereafter, her uncle assaulted her due to which, she went out from her house, with intent to commit suicide but Pintu Kumar and Sudhir Kumar (the petitioner) made her sit on motorcycle and brought her to the hospital in injured condition. Learned counsel has further submitted that the victim has been made accused along with her mother. The family members of Nisha Kumari and her maternal inmates have been named in the FIR but not this petitioner. It has also been submitted that Nisha Kumari has also lodged a complaint case. The petitioner is a person of clean antecedent and is in custody since 21.05.2025.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that murder of the deceased was taken place before the eye of Nisha Kumari. She, in her statement under Section 164 of the Cr.P.C. has stated that co-accused Chandan Kumar and Pintu Kumar caught hold of him and the present petitioner strangled Abhishek Kumar (the deceased) to death.

6. Learned counsel for the petitioner submits that statement of Nisha Kumari should not be given credence since she,



herself is accused in this case to which learned counsel for the informant replied that merely because, she has love and affection with the deceased, she was made accused and she has no complicity in the murder of the victim.

7. According to the statement of Nisha Kumari, who had love and affection with the deceased, the petitioner strangled Abhishek Kumar to death.

8. Considering the above-mentioned facts and circumstances, in my view, the petitioner does not deserve privilege of bail. Accordingly, it is rejected.

9. The learned Court below is directed to expedite the trial and to conclude the trial as early as possible.

(Nawneet Kumar Pandey, J)

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