

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69233 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- MATIHANI District- Begusarai

Shera @ Deepak Kumar Son of Lalan Singh Resident of Village - Jagatpura,
Police Station - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 62279 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- MATIHANI District- Begusarai

Aayush Kumar @ Ayush Kumar Son of Sanjay Singh Resident of Village -
Jagatpura, Police Station - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 69233 of 2025)

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

(In CRIMINAL MISCELLANEOUS No. 62279 of 2025)

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 17-01-2026 Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Matihani P.S. Case no. 117 of 2025 registered under sections 103(1), 238(a) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act, 1959.



3. As per the prosecution case, the informant states that his son was called in the night at about 11 pm - 12 midnight by the six named accused persons including the two petitioners herein. It is stated that all of them took away his son and thereafter raised *halla* that he had been shot. His body was disposed off in the agricultural field and the petitioners escaped.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. Even from the FIR, it would transpire that the informant is not an eyewitness to the occurrence. The petitioners were not even amongst the accused persons who had allegedly called the son of the informant. The petitioners have no criminal antecedent and are in custody since 12.8.2025 and 23.6.2025 respectively. The petitioners undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State who submits that in course of investigation, the confessional statement of co-accused Hariom was recorded wherein he has named both the petitioners herein, however, so far as the allegation of firing is concerned, it is against co-accused Pinkesh. Learned APP further submits that in the post-mortem report, there are two gunshot injuries.

6. Having heard learned counsel for the parties and



taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the contents of the post-mortem report and the confessions recorded in course of investigation, the Court is not inclined to enlarge the petitioners on bail for the present.

7. Both the applications are rejected.

8. Liberty is granted to the petitioners to renew their prayer for bail on completing one year in custody or after framing of charge, whichever is later.

(Partha Sarthy, J)

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