

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82335 of 2025

Arising Out of PS. Case No.-283 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Rahul Kumar S/o Satish Singh R/o Village- Bhaur Bigha, P.S- Parasbigha,
Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Prasad, Advocate
For the Informant	:	Mr. Gyanendra Kumar, Advocate
For the State	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Heard Mr. Shivendra Prasad, learned counsel for the petitioner, Mr. Gyanendra Kumar, learned counsel for the Informant and Mr. Nagendra Prasad, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 31.05.2025, in connection with Makhdumpur P.S. Case No. 283 of 2025, F.I.R. dated 26.04.2025 registered for the offences punishable under Sections 103(i) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act but the police submitted chargesheet under Sections 103(i), 61(2), (a) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-b) a, 26, 27 and 35 of the Arms Act.

3. The prosecution case, in brief, is that on 25.04.2025 at about 7:15 P.M., the informant's son Bablu



Kumar along with his friend Rohit Kumar was going to Makhdumpur by cycle and as soon as they reached near *chhota pool*, situated in Dhankaul, two unknown miscreants boarded on motorcycle fired upon the son of the informant which hit in his back side of head thereafter they fled away. It is further alleged that with the help of police the informant's son was brought to Makhdumpur Hospital from where he was referred to PMCH, Patna for better treatment where the son of the informant was declared dead.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person, namely, Dablu Kumar. Thereafter, the petitioner has confessed his guilt in the present occurrence which was recorded in paragraph-62 of the case diary and except the confessional statement of co-accused Dablu Kumar and self confessional statement of the petitioner, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after



investigation submitted chargesheet against the petitioner and the petitioner is in custody since 31.05.2025.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that co-accused person, namely, Dablu Kumar has confessed his guilt and he has given detailed *modus operandi* as to how the occurrence of murder was committed with the connivance of other co-accused person including the petitioner and he has stated that the petitioner has fired upon the victim and the same was supported by the medical evidence and apart from aforesaid on the basis of confessional statement of co-accused Dablu Kumar, the arms which was used in the present occurrence in question which was recorded in paragraph-58 of the case diary has been recovered and it has also come during investigation that the petitioner has purchased the arms in question which was used in the present crime in question after paying Rs. 15,000/- (Rupees Fifteen Thousand) and the said Dablu Kumar who has clearly stated in his statement that the petitioner has fired upon the victim and thereafter the petitioner has also confessed his guilt which was recorded in paragraph-62 of the case diary.



6. Considering the aforesaid facts that there is direct and specific allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Makhdumpur P.S. Case No. 283 of 2025 pending in the Court of learned Additional Chief Judicial Magistrate, Jehanabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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