

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 85147 of 2025

Arising Out of PS. Case No.-644 Year-2024 Thana- MAJHAULIA District- West Champaran

Awadhesh Kumar S/o Bindeshwari Das R/o Village - Purushottampur, Ward
No. 11, P.S - Majhauilya, District - West Champaran. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-02-2026 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Sessions Case No. 564/2025 arising out of Majhualiya P.S. Case No. 644 of 2024 registered for the offence under Sections 103(1)/ 61(2) of the BNS and Section 27 of Arms Act, in which cognizance was taken for the offences under Sections 103(1), 61(2) of BNS and Section 25(1-B)/26/35/27 of Arms Act.

3. The petitioner is not named in the F.I.R. and is in custody since 07.05.2025.

4. As per FIR, some unknown persons committed murder of younger son of the informant namely Abhinandan Kumar who was doing job of Mason at Bangalore and came to his village on the eve of Chhath Puja.

5. Learned counsel appearing on behalf of the petitioner



submitted that no one is the eye witness of the occurrence and mere upon the suspicion arising out of confessional statement of apprehended co-accused, petitioner was implicated with present case. It is submitted that being co-villager and resident of nearby locality the petitioner was in talking terms with other alleged co-accused persons. It is submitted that even from the perusal of confessional statement the thrust of allegation appears against co-accused Sukesh Patel. It is further submitted that with recovered country-made pistol and cartridge petitioner not appears connected in any manner and his implication *prima-facie* appears only being friend of co-accused Sukesh Patel. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement nothing transpires *prima-facie* during investigation as to connect him with present crime in question, coupled with fact that investigation of this case already completed, where petitioner remains in custody since 07.05.2025, accordingly petitioner above named, is directed to be released on bail in



connection with Majhualiya P.S. Case No. 644 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-2nd, Bettiah, West Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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