

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89139 of 2025

Arising Out of PS. Case No.-748 Year-2024 Thana- GAURICHAK District- Patna

Mahavir Kumar Son of Bineshi Paswan Resident of Village - Beldarichak,
P.S.- Gaurichak, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

5 24-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaurichak P.S.Case no. 748 of 2024 registered under sections 103(1) and 238(B) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution case, the informant states that he received information about his son having been done to death by unknown accused persons.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in course of investigation on the allegation that the petitioner and his



brothers committed the murder as a result of the deceased having an affair with their sister. The allegations are false and concocted. The manner of occurrence is other than what has been narrated in the FIR. The petitioner is in custody since 24.1.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that there is substantial material against the petitioner to connect him with the alleged crime. The sister of the informant with whom the deceased was having an affair has stated that seeing her with the deceased, one of the brother had called the other two brothers which includes the petitioner herein. The application for bail of Dipu Kumar has been rejected vide order dated 8.10.2025 passed in Cr.Misc.no. 47471 of 2025.

6. Heard learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking it to consideration the allegations in the FIR, the material that has transpired in course of investigation, the rejection of the application for bail of co-accused Dipu Kumar, vide aforesaid order dated 8.10.2025, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



8.Taking into consideration that there is no eyewitness to the occurrence, liberty is granted to the petitioner to renew his prayer from bail after three months or on framing of charge, whichever is later.

(Partha Sarthy, J)

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