

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4548 of 2025

Arising Out of PS. Case No.-212 Year-2024 Thana- SHAMBHUGANJ District- Banka

Subodh Sah, S/o Darogi Sah R/o Village- Mirjapur, P.S.- Shambhuganj,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 19-03-2025 1. Heard Mr. Dhananjay Kumar Pandey, learned
counsel for the petitioner and Ms. Madhuri Lata, learned APP
for the State.

2. The petitioner seeks regular bail in connection
with Shambhuganj P.S. Case No. 212 of 2024 dated 09.07.2024
registered for the offence(s) punishable under Sections 103(1),
238(a) and 3(5) of the BNS, 2023.

3. The main submissions advanced by petitioner's
counsel are that there is no eye-witness of the alleged crime of
murder, as per the prosecution story, the informant found his
brother lying in dead position in pool of blood and petitioner has
been made accused by the informant mainly on this ground that
he and co-accused persons had threatened the deceased on
account of some dispute relating to the construction of stair of



pond but regarding that threat, no legal action was taken by the informant and there is no material to substantiate the said allegation concerned to the threat and there was no dispute between the petitioner and deceased so there was no reason for him to be involved in the alleged crime of murder. Learned counsel further submits that the petitioner has fair and clean antecedent and languishing in jail since 29.11.2024 and against him the investigation has been completed and one similarly situated co-accused namely Binod Sah has been granted bail by this court vide order dated 20.11.2024 passed in Cr. Misc. No. 68753 of 2024.

4. Though, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that against the petitioner there is no direct evidence and except suspicion raised by the informant and other witnesses against the petitioner there is no material.

5. Considering the facts and circumstances of the case as well as above submissions advanced by petitioner's counsel and mainly the fact that regarding the petitioner's involvement in the alleged crime the prosecution is mainly relying upon the suspicion raised by the informant and some witnesses and also coupled with the completion of investigation against this



petitioner and his custody period as well as fair and clean antecedent , this court is inclined to release him on regular bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Shambhuganj P.S. Case No. 212 of 2024 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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