

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27678 of 2025

Arising Out of PS. Case No.-393 Year-2024 Thana- PIRBAHOR District- Patna

Bhola Rai @ Bhola Kumar, S/o Ashok Prasad @ Ashok Prasad Yadav,
Resident of village-Sabalpur Chauraha, P.O.- Sonepur, P.S.-Sonepur, Dist
-Saran, Pin – 841101.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Munna Raj, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 30-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Pirbahore P.S. Case No.393 of 2024 registered for the
offences punishable under Sections 103(1), 61(2) read with
3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is not named in the FIR
and is in custody since 23.10.2024.

4. As per FIR, some unknown persons committed
murder of the husband of informant along with named co-
accused persons against whom suspicion was raised by
informant to commit murder of her husband.

5. It is submitted by learned counsel appearing for



petitioner that the name of petitioner transpired during course of investigation out of confessional statement of co-accused Damodar Rai, in furtherance of which, no incriminating material has been recovered/surfaced during investigation as to connect petitioner *prima facie* with present occurrence of murder. It is also pointed out that different witnesses during the course of investigation failed to disclose the name of this petitioner and also, even the confessional statement of apprehended co-accused person appears contradictory on point of involvement of petitioner *qua* actual occurrence. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* save and except suspicion arising out of confessional statement of co-accused, nothing



incriminating appears against this petitioner suggesting his involvement with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 23.10.2024, accordingly, the petitioner, above-named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No.393 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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