

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27194 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- HASANPUR District- Samastipur

Santosh Pathak S/o Mr. Rajendra Pathak R/o vill - Atapur, P.S.- Hasanpur,
Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate Mr. Mudit Meet, Advocate
For the State	:	Mr. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 31-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Hasanpur P.S. Case No. 137 of 2024 instituted for the offence
under Sections 103(1), 61(2) & 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. The informant alleged that his brother Dhananjay
Singh was murdered by Santosh Pathak (petitioner) and others
while returning from a feast on 07.11.2024. He claimed the
accused strangled Dhananjay with a rope and staged it as a
suicide due to a prior dispute involving an illicit affair.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 20-12-2024. Petitioner bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case where the deceased died by suicide or by some other means. The FIR was lodged after an unexplained delay despite the informant allegedly having prior knowledge of the incident. There are no eyewitnesses or direct allegations against the petitioner, only vague suspicion stemming from prior enmity and a baseless theory involving a girl. The police had already reached the spot and prepared an inquest report a day after the incident, which was suppressed in the FIR. Overall, the allegations are based on conjecture, with no credible evidence linking the petitioner to the alleged crime.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have supported the prosecution case, which fact is mentioned in paragraph Nos. 05, 06, 09 & 21 of the case diary. It is next submitted that spy has disclosed the involvement of the petitioner, which is mentioned in paragraph Nos. 71 & 94 of the case diary.



7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments preferably within a period of six months from today.

9. However, petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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