

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30533 of 2025

Arising Out of PS. Case No.-27 Year-2008 Thana- DUMARIYA District- Gaya

Jagdamba Das S/o Late Mandul Das @ Mandal Das R/o Village- Piparbar,
Tola Aaurwa Tand, P.S.- Dumariya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 30846 of 2025

Arising Out of PS. Case No.-27 Year-2008 Thana- DUMARIYA District- Gaya

Keshwar Das @ Keshar Das S/o Late Mandul Das @ Mandal Das Resident of
Village- Piparbar, Tola Aaurawa Tand, P.S.- Dumariya, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 30533 of 2025)
For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP
(In CRIMINAL MISCELLANEOUS No. 30846 of 2025)
For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-09-2025 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seeks bail in connection with
Dumariya P.S. Case No. 27 of 2008 registered for the offence
under Sections 302, 201 and 34 of the I.P.C.

3. The accused/petitioner are named in the F.I.R. and



they are in custody since 02.02.2025

4. The allegation against the petitioner (Jagdamba Das) is to commit murder of father of the informant along with other co-accused persons.

5. Learned counsel appearing on behalf of the petitioners submitted that the allegations are primarily raised on suspicion out of previous enmity. It is submitted that the informant is not the eye-witness of the occurrence and as the son of the petitioner namely Bhattu Das was suffering from tuberculosis, a suspicion was raised that deceased by using black magic caused his illness, which is said to be the motive behind the occurrence. It is pointed out that just to aggravate the allegations on the instance of co-villagers the allegation was raised that the undergarments (*ganji*) of the petitioner (Jagdamba Das) was found with blood stains but the same was not seized by police during investigation despite of knowledge. It is also submitted that to aggravate the allegations a colour of extra-judicial confession was given to the FIR. While concluding the argument, it is submitted that petitioners are man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such,



there is no chance of tampering with the evidence.

6. Learned APP, opposed the prayer of bail.

7. Considering the facts and circumstances as mentioned above as save and except the suspicion *prima facie* nothing incriminating has come against the petitioners, when the dead body appears to be recovered from a river, coupled with fact that charge-sheet has already been submitted where petitioners are in custody since 02.02.2025, accordingly let the petitioners, above named, are directed to be released on bail in connection with Dumariya P.S. Case No. 27/2008 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya /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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