

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30724 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- MUSAHARI District- Muzaffarpur

Rohit Kumar, S/o Prem Shankar Sah @ Bikau Sah, R/o vill - Matithi Near
Power House and P.S.- Gaighat, Distt.- Muzaffarpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-08-2025 Heard Mr. Vaidehi Raman Prasad Singh, learned
counsel for the petitioner and Mr. Ramchandra Sahni, learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Mushahari P.S. Case No. 12 of 2025 dated 01.02.2025 registered
for the offences punishable under sections 103(1), 238 and 3(5)
of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by petitioner's
counsel are that against this petitioner there is simple allegation
of having thrown the dead body of the deceased on the road side
but as per the prosecution story, this petitioner did the alleged act
at the direction of his father and the husband of the deceased and
it is not the prosecution's case that the petitioner was involved in
killing of the deceased and in this regard, the FIR in itself is
sufficient.

4. Though learned APP for the State has opposed the



prayer of the petitioner but fairly accepts that as per the FIR and the materials available in the case diary, there is no significant material to show the petitioner’s involvement in the killing of the deceased and he was mainly involved in disposing of the dead body by throwing it on the road side with the help of two other co-accused persons.

5. Considering the aforesaid submissions and mainly the facts that as per the prosecution, the petitioner is not alleged to be involved in the killing of the deceased and he only threw the dead body of the deceased with the help of two co-accused persons on the road side at the direction of his father and the husband of the deceased, so, in view of this allegation and also taking into account the petitioner’s custody period, his fair and clean antecedent and completion of investigation against him, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail 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 in connection with Mushahari P.S. Case No. 12 of 2025.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

