

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31454 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- Mathurapur District- Samastipur

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Sujeet Kumar S/O Parmeshwar Sah Village- Nagar Basti, Maharajganj, P.S.-
Mathurapur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Mathurapur P.S. Case No. 05 of 2025 registered for the alleged offences under Sections 137(2), 140(3) and later on added Sections 103(10), 238 of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, 7 years old nephew of the informant went missing and later on, his decomposed dead body was found in a maize field. The name of the petitioner transpired during investigation for being involved in the alleged occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired in this case during



investigation and his confessional statement was recorded but except for the confessional statement, there is no material against the petitioner to connect him with the alleged offence. Though, in his confessional statement, the petitioner has admitted that the child got crushed in his flour mill and died and thereafter, in order to dispose of his dead body, threw his dead body in a maize field, no such occurrence has taken place as there was no electric line and flour mill was not running. Even from the confessional statement, no offence under Section 103(1) of the BNS is made out and utmost it could be a case under Section 106 of the BNS. Learned counsel further submits that the petitioner is in custody since 15.02.2025 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner tried to conceal the dead body of the nephew of the informant after he was crushed in his flour mill.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of cogent material against the petitioner coupled with possibility of accidental death of the child and further considering the period of custody of the petitioner and his clean



antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur/court concerned in connection with Mathurapur P.S. Case No. 05 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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