

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36542 of 2025

Arising Out of PS. Case No.-99 Year-2024 Thana- Hariharnath P.S. District- Saran

Suraj Mafiya @ Suraj Singh S/o Lalan Singh Resident of Village- Sawaich,
PS- Harihar, Nath, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Harihar Nath P.S. Case No. 99 of 2024 registered for the
offences under Sections 103(2), 61(2) of the Bhartiya Nyay
Sanhita, 2023 (in short, the 'B.N.S.').

3. The petitioner is named in the First Information
Report and is in custody since 12.08.2024.

4. As per FIR, nine named and three unknown co-
accused persons came to the house of the informant and had
taken away his son namely, Deeraj Kumar, aged about 21
years, on the pretext of a party and subsequently they all
killed him by inflicting knife injuries.



5. It is submitted by learned counsel appearing on behalf of the petitioner that informant is not an eye witness of the actual occurrence. It is pointed out that allegation is general and omnibus against the petitioner and that too limited as to call the deceased from his home.

6. It is also pointed out that similarly situated co-accused persons namely, Naushad, Harsh Singh, Bittu Kumar and Chottu Kumar have been granted bail by learned coordinate Bench of this Court through Cr. Misc. No. 26147/2025 and Cr. Misc. No. 12382/2025 dated 18.06.2025 respectively.

7. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. Considering the facts and circumstances as mentioned above and by taking note of the fact as informant is not the eye witness of the alleged occurrence coupled with



similarly situated co-accused persons have already been granted bail by learned coordinate Bench, as aforesaid, where petitioner remains in custody since 12.08.2024, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Harihar Nath P.S. Case No. 99 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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