

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38061 of 2025**

Arising Out of PS. Case No.-477 Year-2019 Thana- MUFFASIL District-
West Champaran

- =====
1. Panchanand Bhagat S/O Late Bhola Bhagat R/O Village-Khamiya Inarwa, PS- Inarwa, District- West Champaran
 2. Santosh Chaurasiya @ Santosh Bhagat S/O Panchanand Bhagat R/O Village-Khamiya Inarwa, PS- Inarwa, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 08-10-2025 Heard learned Advocate for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bettiah Muffasil (Banuchhapar) P.S. Case No. 477 of 2019, registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that the son of the informant had been leaving with his maternal grand parents since his childhood. On 22.08.2019, it is alleged that all the accused had done to death his son and in order to conceal the evidence, took away the body for cremation.



4. Learned Advocate for the petitioners submitted that during the course of investigation, it has transpired that son of the informant had relationship with one person and on account of the reason undisclosed, he committed suicide. The entire facts have been taken note of by the learned Court below while rejecting the prayer for bail of the petitioners. The witnesses, in paragraph No. 11, 12 and 13 of the case diary, have stated that the deceased has committed suicide. Some of the witnesses have also supported the case of love affair of the deceased with another person. The mother of the deceased has also stated that the petitioners were also present at the place of cremation but no specific allegation has been levelled against them. The reason behind the delay in approaching the Court has been stated that since the investigating officer has submitted charge-sheet against co-accused, Sheshnath Prasad only and left out the petitioners showing the investigation pending, therefore, they were kept waiting for the result in the meanwhile, the trial has also commenced but the informant and other witnesses have not supported the prosecution case. The co-accused Sheshnath Prasad has also extended the privilege of regular bail by a co-ordinate Bench of this Court in Cr. Misc. No. 74454 of 2019 vide order dated 05.03.2020, a copy of which is placed on record as annexure-3.



5. On the other hand, learned Advocate for the State, vehemently, opposed the bail application and submitted that the petitioners are named in the F.I.R. and despite the fact they were evading their arrest and because of their act, delay has occurred and trial has been bifurcated.

6. Regard being had to the submissions set forth by the learned Advocate for the respective parties and taking note of the depositions of the informant and others, copies of which are placed on record as Annexure-4 series to the bail application, besides the materials collected during course of the investigation, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Muffasil (Banuchhapar) P.S. Case No. 477 of 2019, subject to the condition as laid down under Section 482(2) of the BNSS.

(Harish Kumar, J)

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