

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41537 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- BIBIGANJ District- Kishanganj

1. Ravi Kumar Sah S/o Late Kalkal Sah R/o Naya Tola Bibiganj, P.S. - Bibiganj, Distt.- Kishanganj
2. Santosh Kumar Sah S/o Late Kalkal Sah R/o Naya Tola Bibiganj, P.S. - Bibiganj, Distt.- Kishanganj
3. Shambhu Kumar Sah @ Shambhu S/o Mukesh Prasad Sah R/o Naya Tola Bibiganj, P.S. - Bibiganj, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. In the present case, the petitioners seek bail in connection with Bibiganj P.S. Case No. 03 of 2025 registered for the alleged offences under Sections 103(1), 309(6), 238(a) of B.N.S.

3. As per prosecution case, the dead body of the husband of the informant was found buried in a field. Earlier the husband of the informant went missing with his tractor which he had been driving and a case was lodged by owner of the tractor being Bahadurganj P.S. Case No. 42 of 2025 few days back. The name of the petitioners transpired during investigation for being



involved in the occurrence of killing of the husband of the informant

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. During investigation one Kinu Harijan was apprehended and in his confessional statement he named the petitioners, who killed the husband of the informant. But there is no other material except his confessional statement. There is no eye witness to the occurrence and the petitioners have been made accused only on the basis of suspicion. Learned counsel further submits that even in CCTV footage no material has come to show the involvement of the petitioners. The petitioners are in custody since 09.02.2025 and charge sheet has been submitted. The petitioners have got no criminal antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners. Learned APP submits that the petitioners were apprehended after confessional statement of the co-accused was recorded and in his confessional statement he disclosed about the motive of the petitioners of killing the husband of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



lack of substantive material against the petitioners and also considering the period of custody of the petitioners, their clean antecedent and submission of charge sheet, the petitioners above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Kishanganj/concerned Court in connection with Bibiganj P.S. Case No. 03 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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