

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43074 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- CHAPRA RAIL P.S. District- Saran

Santosh Kumar @ Santosh Basfor S/O Ghural Basfor @ Dhural Basfor R/O
Vill.- Ekma Main Road, Near Old Goods godown, P.s.- Ekma, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
103(1) and 238 of the B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that his elder son received an information on
phone that some unknown accused after committing murder of
informant's younger son had kept his body on the railway track
with a view to destroy evidence, accordingly the informant
along with his relative reached Ekma station and found the dead
body of his son with mark of injuries on chest and rib cage from
which it appears that his son was shot. The learned counsel



appearing on behalf of the petitioner submits that FIR was against unknown and during the course of investigation statement of Md. Irfan was recorded who disclosed that his brother and petitioner are friends and he used to teach children at the house of the petitioner and children of surrounding area, further the mother and sister asked him not to come to the house for teaching the children, for the reason that occurrence of murder of the deceased was committed in their house, since deceased had entered the house and acted inappropriately with his sister on account of which sister of the petitioner namely Manju assaulted him by crowbar causing death. It is next submitted that thereafter brother of the petitioner Rajesh was also arrested whose statement was recorded who also disclosed the same facts as disclosed by Md. Irfan. It is next submitted that mother and sister of the petitioner are also in custody. The learned counsel appearing on behalf of petitioner submits that even presuming what had been disclosed by Md. Irfan and Rajesh they have not disclosed that it was the petitioner who committed the occurrence rather they have disclosed that it was the sister of the petitioner who assaulted the deceased by crowbar causing injury on chest and rib cage as he was acting inappropriately with her.



4. Learned A.P.P. opposes the anticipatory bail application submits that son of the informant was assaulted and his body was thrown on railway track. It is next submitted that no doubt that Md. Irfan and Rajesh in their statement have not alleged anything against the petitioner about his involvement in occurrence but then it is submitted that it is not possible for the sister of the informant alone to commit the occurrence. It is also submitted that the investigation is continuing.

5. Considering the submissions made by the learned counsel for the petitioner and learned APP, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. The application stands rejected.

(Satyavrat Verma, J)

Siddharth Soni/-

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