

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45653 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- BIHIA District- Bhojpur

1. Santosh Kumar Yadav S/o Late Ramayan Yadav R/o Village- Jamua, P.S.- Bihiya, District- Bhojpur
2. Sunil Kharwar S/o Late Bhagwan Kharwar R/o Village- Saheb Tola, P.S.- Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr.Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 103 (1) and 3 (5) of the BNS.

3. The case of the prosecution is that the informant received a call about the murder of his father at FCI Godown, Bihea. The informant has expressed suspicion against three accused persons for committing the offence. The name of these petitioners transpired only during the course of investigation and petitioner no. 1 is said to have given a confessional statement.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in connection with the present case. It is further submitted that the petitioners and the deceased both were truck drivers. From a perusal of the case diary at paragraph-16, it transpires that the deceased was last seen with the petitioners. It is further submitted that there is no eye witness to the occurrence and except for the alleged confessional statement of Santosh Kumar, there is no material against these petitioners. It is also submitted that similarly situated co-accused Umesh Yadav has been granted bail by a co-ordinate Bench of this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 51394 of 2025 and the case of these petitioners stand on similar footing. Moreover, the petitioner is languishing in judicial custody since 25.04.2025 having no criminal antecedents.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail and submitting that except for suspicion, there is nothing substantial against these petitioners.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bihiya P.S. Case No. 143 of 2025 on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur at Ara/concerned Court.

(Ashok Kumar Pandey, J)

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