

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47896 of 2025

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

1. Kinnu Lal Harijan @ Kinnu Harijan S/o Rona Harijan Resident of Village-
Nayatola, PS- Bibiganj, Distt.- Kishanganj
2. Bansi Lal Harijan S/o Late Nahwat Harijan Resident of Village- Nayatola,
PS- Bibiganj, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Sessions Trial No. 125 of 2025 arising out of Bibiganj P.S. Case No. 03 of 2025 registered for the alleged offences under Sections 103(1), 309(6), 238(a) of Bharatiya Nyaya Sanhita, 2023 .

03. 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

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. During investigation, petitioner no. 1, Kinnu Lal Harijan, was apprehended and in his confessional statement he named the petitioner no. 2 and other co-accused persons, who killed the husband of the informant. But there is no other material against the petitioners except confessional statement of petitioner no. 1. 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.

05. Learned APP vehemently opposes the submission made on behalf of the petitioners. Learned APP submits that the petitioner no. 1 was apprehended and his confessional statement was recorded and in his confessional statement he disclosed about the motive of the co-accused persons including the petitioner no. 2 for killing the husband of the informant.

06. 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 Sessions Trial Case No. 125 of 2025 arising out of 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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