

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51794 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- VAISHALI District- Vaishali

Ratan Sanjay @ Mikku Kumar Jha @ Ratan Sanjay Jha S/O Mritunjay Jha @ Munna Jha R/O Village- Dharampur Jarang, P.S- Belsar O.P., Dist.- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Vaishali (Belser O.P) P.S. Case No. 45 of 2025, registered for the offences under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, allegation against the petitioner is that due to old dispute he murdered the husband of the informant using a sharp weapon.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Petitioner has been suffering from a diagnosed mental illness. His condition is chronic in



nature and has significantly impaired his cognitive faculties and behavioural stability and considering the chronic condition of the petitioner it is highly improbable that he would have conspired or formed the requisite criminal intent to premeditate and execute a murder along with 3-4 other individuals. Learned counsel for the petitioner further submits that reason for implication of the petitioner is that a persons saw the petitioner along with 3-4 other persons near the wall of the house of the informant. There is no eye witness to the alleged occurrence. There is no concrete incriminating material against the petitioner and his arrangement is only on the basis of conjecture and surmise. Moreover the person who is said to have seen the petitioner near the wall of the house of the informant is the nephew of the deceased and he has not witnessed the actual occurrence. No recovery of any weapon has been made from the petitioner. Though, there is allegation of using sharp weapon in causing death of the husband of the informant, the post-mortem report shows the weapon used was hard and blunt object. There is delay of three days in lodging the FIR and there is no explanation for the delay. The petitioner has no criminal antecedent and is in custody since 18.03.2025. The charge-sheet has been submitted.



5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and further considering the clean antecedent, period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Vaishali at Hajipur in connection with Vaishali (Belser O.P) P.S. Case No. 45 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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