

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65804 of 2025

Arising Out of PS. Case No.-1039 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

1. Bablu Agrawal @ Binod Kumar Agrawal @ Binod Agrawal S/o Late Murari Lal Agrawal @ Murari Agrawal R/o ward no. 15, P.O. and P.S.- Bhabhua, Distt.- Kaimur
2. Tinku Agrawal @ Santosh Agrawal @ Santosh Kumar Agrawal S/o Late Murari Lal Agrawal R/o ward no. 15, P.O. and P.S.- Bhabhua, Distt.- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhay Kumar Upadhyay, Advocate
For the Opposite Party/s :	Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-12-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners seek regular bail in connection with Bhabhua P. S. Case No. 1039 of 2024 in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 3(5) of the Bharatiya Nyaya Sanhita to which Section 103 BNS was added later on.

3. It is alleged that these petitioners along with other accused persons assaulted father of the informant with rod and hammer and threw him down the rooftop as a result of which, he sustained severe injuries and died during course of treatment.

4. Learned counsel for the petitioners submits that



though petitioners are named in the F.I.R. but there is no specific accusation of overt act against them. F.I.R. has been lodged after inordinate delay of five days which itself raises doubt over veracity of the prosecution case. Allegation against these petitioners are general and omnibus. It is further submitted that similarly situated co-accused, namely, Manoj Agarwal has already been granted regular bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 08.08.2025 passed in Cr. Misc. No. 48315 of 2025. Petitioner is in custody since 27.05.2025. Charge-sheet has already been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of allegation, period of custody and other facts and circumstances of the case, the bail application is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabhua P. S. Case No. 1039 of 2024.

(Prabhat Kumar Singh, J)

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