

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70866 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- SAUR BAZAR District- Saharsa

Deepak Kumar S/o Durbal Sah Resident of - Ward no. 06 Indarwa, P.S - Saur Bazar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Amarnath Jha, Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Mr. Satya Prakash Parasar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-12-2025 Heard learned senior counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 126(2), 115(2), 109, 74, 303(2), 352 and 3(5) of the B.N.S. and later on, Section 103(1) of the B.N.S. was added.

3. As per prosecution case, it is alleged that this petitioner, along with co-accused Arjun Sah and Birendar Sah, assaulted father and mother of informant by means of iron rod as a result of which, during course of treatment, father of informant died.



4. It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and has committed no offence. As per F.I.R., three named accused persons, including this petitioner, assaulted father of informant, however, as per *post mortem* report, doctor has found only two injuries on the person of the deceased which itself falsifies the entire prosecution case. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 27.06.2025.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, materials that have surfaced during course of investigation, period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in



connection with Saur Bazar P.S. Case No. 78 of 2025.

(Prabhat Kumar Singh, J)

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