

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65708 of 2025

Arising Out of PS. Case No.-27 Year-2008 Thana- DUMARIYA District- Gaya

=====

Kishuni Das S/o- Late Budhan Das, R/o- Piparvaar Tola Ourwataad, Ps- Dumariya Dist- Gaya.	 Petitioner/s
--	---------------------

Versus

The State of Bihar.	 Opposite Party/s
---------------------	-------------------------

=====

Appearance :

For the Petitioner/s : Mr.Kumar Satyam, Advocate

Mr. Shivam Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-11-2025 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Dumariya P.S. Case No. 27 of 2008 registered for the offence under Sections 302, 201/34 of the I.P.C.

3. The accused/petitioner is named in the F.I.R. and is in custody since 24.04.2025.

4. The allegation against the petitioner is to commit murder of father of the informant along with other co-accused persons.

5. Learned counsel appearing on behalf of the petitioner submitted that the allegation is primarily raised on suspicion out of previous enmity. It is submitted that the informant is not the eye-witness of the occurrence and as the son of the co-accused namely Bhattu Das was suffering from tuberculosis, a suspicion was raised



that deceased by using black magic caused his illness, which is said to be the motive behind the occurrence. It is pointed out that just to aggravate the allegations on the instance of co-villagers, the allegation was raised that the undergarments (*ganji*) of the petitioner was found with blood stains but the same was not seized by police during investigation despite of knowledge. It is also submitted that to aggravate the allegations a colour of extra-judicial confession was given to the FIR. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the facts and circumstances as mentioned above as save and except the suspicion *prima facie* nothing incriminating has come against the petitioner, where dead body appears to be recovered from a river, coupled with fact that charge-sheet has already been submitted and petitioner is in custody since 24.04.2025, accordingly petitioner, above named, is directed to be released on bail in connection with Dumariya P.S. Case No. 27/2008 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District and Sessions Judge-3,
Sherghati, Gaya/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C/Section 480(3) of
BNSS.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

