

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85640 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- DALMIYA NAGAR SAHAYAK
District- Rohtas

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Aditya Kumar S/o Kedar Mehta @ Kedar Mahto @ Kedar Singh Resident of
Village - Gajbor, P.S - Dalmianagar, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Siddharth Harsh, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Ravi Kant, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-12-2025 Heard learned 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 103 and 3(5) of the B.N.S..

3. As per prosecution case, on the alleged date and
time of occurrence, son of informant had gone to take bath at
Ganguli Lakh where, on the instigation of co-accused Raja
Kumar, all the eight F.I.R. named accused persons, including
this petitioner, assaulted son of informant with *lathi*, *danda* and
iron rod due to which, during course of treatment, son of
informant died.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that informant is not an eye witness of the occurrence. As a matter of fact, after consuming liquor, son of informant fell into canal and sustained injuries and during course of treatment, he died. As per prosecution case, all eight F.I.R. named accused persons, including this petitioner, assaulted son of informant, however, as per *post mortem* report, only two injuries were found on the body of the deceased which itself falsifies the entire prosecution case. Similarly situated co-accused person, namely Badal Kumar, has already been granted bail by this Hon'ble Court vide order dated 02.12.2025 passed in Cr. Misc. No. 82843 of 2025. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 28.06.2025.

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, general and omnibus nature of accusation, claim based on parity, 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 S.D.J.M., Dehri, District- Rohtas in connection with Dalmianagar P.S. Case No. 137 of 2025.

(Prabhat Kumar Singh, J)

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