

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7304 of 2026

Arising Out of PS. Case No.-478 Year-2024 Thana- HARSIDHI District- East Champaran

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ARUN KUMAR S/o- Mahendra Ram Resident of village- Laukariya PS-
Harsiddhi District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Pragya Bharti, Advocate
	:	Mr. Aditya Kumar Pandey
For the State	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Anant Kumar Mishra, Advocate
	:	Mr. Deepak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-04-2026 Heard Ms. Pragya Bharti, learned counsel for the

petitioner, Mr. Bhanu Pratap Singh, learned Additional Public

Prosecutor for the State as well as Mr. Anant Kumar Mishra,

learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since

17.11.2025 in connection with Harsidhi P.S. Case No. 478 of

2024, F.I.R. dated 07.09.2024 for the offences punishable under

Sections 103, 61(2) 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant

alleged that the petitioner along with other accused persons due

to earlier dispute committed the murder of informant's son and

threw his body in the field of Panna Lal Singh.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis that he was last seen with the deceased and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. Informant is not the eye witness of the alleged occurrence and even no one had seen the alleged occurrence and petitioner has been made accused merely on the basis of suspicion. He next submits that and similarly situated co-accused persons, namely, Amresh Kumar @ Amresh Kumar, Arjun Kumar, Pundeo Ram, Lalita Devi and Madhu Kumari have been granted the privilege of anticipatory bail by this Court vide order dated 23.06.2025, 14.07.2025, 10.07.2025 in Cr. Misc. No. 23792 of 2025, Cr. Misc. No. 26425 of 2025 and Cr. Misc. No. 26614 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 17.11.2025.

5. The learned Additional Public Prosecutor as well as learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances,



petitioner has clean antecedent and except suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused persons have been granted the privilege of anticipatory bail by this Court let the petitioner, above named, 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 the learned Judicial Magistrate-1st Class, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 478 of 2024,, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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