

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6211 of 2026

Arising Out of PS. Case No.-82 Year-2025 Thana- BALTHAR District- West Champaran

Rohit Kumar Son of Mahendra Giri Resident of Village- Purushottampur,
P.S.- Purushottampur, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.10.2025 in connection with Balthar P.S. Case No. 82 of 2025
for the offences punishable under Sections 103(1) and 61(2)
BNS.

3. The prosecution story, in brief, is that informant in
her written first information report stated that her son Deepak
Gunjan Patel was driver of Sheodani Bus but he was not on the
duty because the Bus was standing in garage for some problem
and he had gone to meet with his wife at the matrimonial her
house of his wife. On 06.07.2025 at 07:00 p.m. his son received
a phone call and said to his wife that he was going to meet
someone and will comeback till 09:00 p.m., but his son did not



come to the matrimonial house of his wife at Purushottampur and while his wife had called him, she found her call busy and then the same was switched off. On 07.07.2025 at 07:00 a.m. the informant received a call about the dead body of her son Deepak Gunjan Patel at Bhawra Dhala Gumati, then she came with other family members there, where she learnt that the dead body was sent for postmortem and then she came to Bettiah Hospital where she found injury on the face, and call had come from mobile that her son got fracture in leg and hand. The informant stated that on phone of her son's mobile no. 9807162001, from mobile no.9507116200. She alleged that her son was murdered by making a conspiracy, whose mobile had become discharged at the time of its recovery. She learnt that her son was murdered at the instance of a girl of Purushottampur.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has been falsely implicated in the present case, it is next submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that initially the petitioner was not named in the FIR and the name of the petitioner has transpired on the



basis of confessional statement of co-accused person namely Reshmi Kumari which has come in paragraph no. 41 of the case diary. Thereafter, the petitioner has also confessed the guilt in paragraph no. 46 of the case diary. It is further submitted that except the confessional statement of co-accused person and self confessional statement of petitioner no cogent material has come during the course of investigation to suggest the involvement of petitioner in the present occurrence, it is next submitted that even no one has seen the occurrence and informant is also not an eye-witness to the alleged occurrence, it is also submitted that the petitioner has been made an accused in this case on the basis of suspicion.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and that petitioner has clean antecedent and except the self confessional statement of the petitioner nothing has come to suggest the involvement of the petitioner, 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-First Class, Bettiah, District-West Champaran in connection with



Balthar P.S. Case No. 82 of 2025, 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)

Gaurav Sinha/-

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