

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5079 of 2026

Arising Out of PS. Case No.-877 Year-2024 Thana- SITAMARHI District- Sitamarhi

Suraj Kumar Son of Mahesh Sah Resident of village - Bhairokothi, P.S.-
Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ranjeet Kumar Mishra, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP
For the Informant	:	Ms. Archana Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-02-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 140(2) of the B.N.S. and later on, Sections 103, 238, 61(2) and 3(5) of the B.N.S. and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act were added.

3. F.I.R. was registered against unknown for missing of son of informant. During investigation, on disclosure of one co-accused person, dead body of son of informant was recovered.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. Petitioner is not named in the F.I.R.. Name of petitioner



transpired in this case during investigation. Moreover, charge-sheet has already been submitted and petitioner, having no criminal antecedents, is in custody since 20.12.2024.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that name of petitioner transpired during investigation and on the disclosure made by this petitioner, the pistol which was used in commission of the offence was recovered.

6. Considering the facts and circumstances of the case, gravity of offence and materials that have surfaced during investigation, the prayer for grant of bail to the petitioner is rejected.

7. However, considering the fact that petitioner is in custody since 20.12.2024, the learned trial court is directed to expedite the trial and conclude the same, preferably within a period of one year from the date of receipt/production of a copy of this order.

(Prabhat Kumar Singh, J)

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