

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12615 of 2026

Arising Out of PS. Case No.-226 Year-2025 Thana- BAGHA District- West Champaran

Dilsher Ali S/o Bhola Mian R/o Village - Chandi Sthan, Police Station -
Bagaha, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Baxi S.R.P Sinha, Sr. Advocate
For the Opposite Party/s :	Mr. Ahmad Ali, APP
For the Informant :	Mr. Prithvi Nath Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-04-2026 Heard Mr. Baxi S.R.P Sinha, learned senior
counsel for the petitioner, Mr. Ahmad Ali, learned A.P.P. for the
State and Mr. Prithvi Nath Mishra, learned counsel for the
Informant.

2. The petitioner seeks bail, who is in custody since
15.08.2025 in connection with Bagaha P.S. Case No. 226 of
2025, FIR dated 14.08.2025 registered for the offence under
Section 103(1) and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to the prosecution case, it is alleged that
informant was informed by daughter-in-law of his brother,
Shyamsundar Kushwaha that her father-in-law has been killed.
On this, when the informant went to the house of his brother, he
found dead body of his brother with injuries on his head. The



informant alleged that some unknown persons by means of sharp weapon killed his brother.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. Informant is not the eye witness of the alleged occurrence and his name has been transpired during investigation on the basis of disclosure made by apprehended co-accused person, namely, Mahima Kumari which was recorded in paragraph-13 of the case diary. Thereafter, the petitioner had also confessed his guilt in the present occurrence which was recorded in paragraph-21 of the case diary and on the basis of confessional statement of petitioner, the cloth which used at the time of the occurrence was recovered and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and the petitioner is rotting in judicial custody since 15.08.2025.

5. Learned A.P.P. for the State and learned counsel for the Informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that on the basis of confessional statement of petitioner, the cloth which used at the time of the occurrence was recovered and the bail application of



co-accused, namely, Bhulai Mian has been rejected by this Court vide order dated 30.03.2026 in Cr. Misc. No. 85991 of 2025.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Bagaha P.S. Case No. 226 of 2025, pending in the Court of Additional Chief Judicial Magistrate 1st Bagaha, West Champaran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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