

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18660 of 2026

Arising Out of PS. Case No.-487 Year-2023 Thana- CHIRAIYA District- East Champaran

Santosh Prasad @ Santosh Kumar Kushwaha Son of Yogendra Pd. R/o
Village - Ambariya, P.S - Shikarganj, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Yerra Madhavi, Adv

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 04-05-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chiraiyn P.S. Case No. 487 of 2023 registered for the offences punishable under Sections 341, 323, 307, 302, 448, 504/34 of the I.P.C.

3. As per the prosecution case, on the question of dirty water, dispute arose between the wife of the informant and the wife of the petitioner resulting into quarrel and catching hold of each other. The petitioner is alleged to have assaulted by handle of hand pump which was lying there on the head of the wife of the informant, after alarm being raised, nearby people came, the injured wife of the informant was taken to nearby hospital initially and she was sent to the better hospital later on and



during treatment wife of the informant died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that, as a matter of fact the dispute arose between the parties, who are neighbours, on the question of dirty water, the two ladies entered into free fight among themselves. Petitioner in a heat of passion and spur of moment, took a handle of the hand pump lying nearby and assaulted the wife of the informant, without any repetition, without knowing that the act would lead to the death of the wife of the informant. It has been submitted that the date of occurrence is 24.10.2023 at 05:30 P.M., the injured wife was sent to the hospital, she was being treated there and post mortem report came to be conducted on 25.10.2023 at 19:30 hours. It has been submitted that till from the time alleged as regards the assault and her death no case was lodged. It has lastly been submitted that the petitioner has no criminal antecedent and is in custody since 03.12.2025

5. Learned APP for the State has and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant has further submitted that the petitioner is the sole assailant of the deceased



and the petitioner had every intention to kill and the injuries also support the allegation against the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstance of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, in connection with Chiraiyn P.S. Case No. 487 of 2023 with a condition:-

(I) The petitioner is directed to co-operate in the trial and be well represented on each and every date fixed in the trial and failure to appear on two consecutive dates, the court below would be at liberty to cancel the bail bonds of the petitioner.

(II) It is further directed that the petitioner will not tamper with the evidence and if they do so appropriate application be filed by the prosecution side.

7. The application stands allowed.

(Praveen Kumar, J)

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