

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14288 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- LAUHIYANAGAR District- Begusarai

Suraj Kumar @ Kishan Kumar, S/O Late Shiv Balak Singh, R/o vill -
Safegatpur tola Bihat, Ward no. 26, P.S.- F.C.I., (Barauni), Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Lohiyanagar P.S. Case No. 93 of 2025 registered for the offence punishable under Sections 140(2), 61(2), 103(1), 238 and 3(5) of B.N.S.

3. The case of the prosecution, in short, is that the son of the informant has gone to fetch vegetables with one Guddu Paswan. When he did not return for a considerable moment, a call was received on the mobile of Guddu Paswan with a request to connect him with the informant. When the informant talked his son, he disclosed that send Rs. 5 lakh. After this, the phone was disconnected. The informant asked Guddu Paswan, Guddu Paswan disclosed that Bhola Mahto, the son of the informant



(deceased) boarded in a vehicle at smart point and has gone somewhere. After this, the informant called his son then the deceased said that come with Rs. 5 lakh, he is being assaulted.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The F.I.R. was lodged against unknown miscreants. His name has surfaced in the confessional statement of Abhinav Kumar. During course of investigation in para '14' of the case diary, witness Sudhir Kumar has stated that he came to know that a call has come on the brother's mobile and he was called he has gone with Guddu and he was taken away on a vehicle by Abhinav and others whereas in para '15', Guddu Paswan has stated that the deceased has only stated in his call that come with Rs. 5 lakh, he is being assaulted by miscreants. In para '16' of the case diary, the mother of the deceased has stated that Bhola Mahto and Guddu Paswan have gone on a bike. A black colour Scorpio vehicle arrived there, two persons alighted from that vehicle, called Bhola. Bhola went there. He was boarded in that vehicle and he called his mother, the witness that he is going to Zero Mile. After this, she disclosed that again a call was received from the deceased who requested to talk his father.



After this, the deceased disclosed that Rs. 5 lakh is being demanded but he has not disclosed the name of any person. She has also stated that Abhinav along with others have taken away his son (deceased) in a black colour Scorpio vehicle. Learned counsel for the petitioner has submitted that Guddu Paswan is the sole eye witness and he has not named any person. Sudhir Kumar and Mahabashki Devi have given their statements in paras '14' and '16' of the case diary and they have stated that they came to know but they have not disclosed the source. In para '41' of the case diary, C.D.R. of Abhnay Kumar was collected and his location was found at Rikhiya, District-Deoghar, Jharkhand. In CCTV footage, one person was seen with a Scorpio vehicle who has handed over the vehicle to Tekriwal Motor Pvt. Ltd. and went away at 9.30. The vehicle was also subjected to F.S.L. and from the F.S.L., it is clear that nothing could be found. From perusal of the postmortem report, it is clear that the doctor conducting autopsy has found no antemortem injury on the person of the deceased and cause of death is asphyxia and shock due to antemortem drowning. The postmortem suggests that the death was due to drowning whereas the confessional statement is to the effect that he was being assaulted by the Abhinav and others. Petitioner is



languishing in judicial custody since 04.11.2025. It has also been submitted that co-accused Abhinav Kumar has been granted bail by this Court vide Cr. Misc. No. 80814 of 2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of seven cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Lohiyanagar P.S. Case No. 93 of 2025 **with the following conditions:-**

(i) the petitioner shall cooperate in the trial and shall remain physically present on each and every date fixed by the learned trial Court.

(ii) He shall mark his attendance weekly at Barauni P.S.

(Ashok Kumar Pandey, J)

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