

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18453 of 2026

Arising Out of PS. Case No.-474 Year-2024 Thana- KOILWAR District- Bhojpur

Hiter Kumar @ Raju Kumar Son of Bhushan Rai Resident of Village- Mahadev Chak, Semariya, P.S.- Koilwar in the district of Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 24-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Koilwar P.S. Case No. 474 of 2024, registered on 11.12.2024 for the offences under Sections 103(1), 3(5) of the BNS.

3. As per the prosecution case, petitioner and two other coaccused persons came to the doors of the informant and inquired about the son of the informant but thereafter informant & her son went to attend the marriage ceremony of the daughter of the cousin of the informant. After the marriage ceremony was over, the son of the informant went missing and his dead body was recovered and informant named the petitioner and three other coaccused persons along with 2-3 unknown persons for

being involved in the murder of her son.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. There is no eye witness to the occurrence and the petitioner has been implicated merely on suspicion. The entire prosecution story is based on circumstantial evidence and there is no direct or indirect evidence or any material to show that the petitioner was last seen with the deceased at the place of occurrence. Therefore, there is no substantive material against the petitioner to show his complicity. The evidence of the prosecution has been recorded but the informant has neither named the petitioner nor identified the petitioner in the Court. Similarly, PW-2 also did not identify the petitioner. Petitioner has got no criminal antecedent and he is in custody since 07.10.2025.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the vague and remote nature of allegation and absence of substantive material against the petitioner and also considering his period of custody and clean antecedent, the petitioner is

directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Bhojpur at Ara//concerned court, in connection with Koilwar P.S. Case No. 474 of 2024, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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