

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19358 of 2026

Arising Out of PS. Case No.-489 Year-2025 Thana- KAKO District- Jehanabad

1. Raushan Kumar S/o- Late Raju Yadav @ Raju Kumar R/o Vill- Misharbigha, P.S- Kako, Ditt.- Jehanabad at Present R/o vill- Darbaribigha, P.S.- Parasbigha, DIstt- Jehanabad
2. Kanti Devi W/o- Late Raju Yadav @ Raju Kumar R/o Vill- Misharbigha, P.S- Kako, Ditt.- Jehanabad at Present R/o vill- Darbaribigha, P.S.- Parasbigha, DIstt- Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

5 24-06-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Kako P.S. Case No. 489 of 2025 dated 21.12.2025, registered for the offences punishable under Section 103(1) read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, son of the informant was shot at by two youths who fired upon him indiscriminately. The deceased, while being taken to hospital, told the informant that he was shot at by his son Sunny @ Ritesh. During treatment, the son of the informant died. The petitioners are another son and wife of the deceased.



4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. In the FIR the petitioners have not been named but they have been named subsequently when the restatement of the informant was recorded, who developed a story of conspiracy of murder of his son, who is none else but the brother of petitioner no. 1 and husband of petitioner no. 2. But the informant has himself hatched this conspiracy in order to grab the land of the petitioners. He further submits that from the FIR, also it is evident that petitioner no. 1 was sitting at the place of occurrence before the occurrence. Therefore, the informant did not name him in the *fardbeyan* at that time. Therefore, there is no material against the petitioners to show their involvement in the killing of the son of the informant. Learned counsel next submits that petitioners are having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioners are in custody since 28.12.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



vague and doubtful nature of allegation against the petitioners, their period of custody and submission of chargesheet, the petitioners, above-named, are 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 Sub-Divisional Judicial Magistrate, Jehanabad / concerned Court, in connection with **Kako P.S. Case No. 489 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners 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 petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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