

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19539 of 2026

Arising Out of PS. Case No.-119 Year-2025 Thana- KATEYA District- Gopalganj

Birju Kumar @ Birju Mahto, S/O Krishna Prasad, Resident of Village-
Rajapur, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 13-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Kateya
P.S. Case No. 119 of 2025 dated 08.03.2025 instituted for the
offence punishable under Sections 137(2), 140(3) of the
Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on
07.03.2025 at about 12:00 am, the informant's son went to Dulia
market by his motorcycle but did not return for a long time.
Upon search, the motorcycle of informant's son was found near
the pond but the son of informant was missing. The informant
has suspicion that Aklu Nonia has abducted him as informant's
son was in love affair with his daughter.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner further submits that the petitioner is not named in the F.I.R. During investigation, co-accused Ramesh Kumar was apprehended, who disclosed the name of the petitioner. It is further submitted that only on the basis of confessional statement of co-accused Ramesh Kumar, the petitioner has been made accused in this case. Learned counsel for the petitioner further submits that two F.I.R. have been lodged; one under Section 103(1) and 3(5) of B.N.S. against the petitioner and the family members of Puja Kumar with regard to murder of Dharmendra Kumar and Puja Kumari in which the petitioner has been granted bail vide order dated 04.12.2025 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 14279 of 2026 and another is present one. It is further submitted that similarly situated co-accused person, namely, Vikash Kumar @ Vikash Kumar Chouhan has been granted bail by this Court vide Criminal Miscellaneous No. 70435 of 2025. Lastly, it has been submitted that the petitioner is in custody since 28.07.2025 having one criminal case against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of



the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Additional Sessions Judge- II, Gopalganj in connection with Kateya P.S. Case No. 119 of 2025.

(Khatim Reza, J)

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