

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22361 of 2026

Arising Out of PS. Case No.-222 Year-2025 Thana- CHAUSA District- Madhepura

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Hemant Kumar @ Hemanshu Kumar S/O Kailu Mandal @ Kailash Mandal
Resident of Village- Milki, P.S. - Dholbazza Naugachhia District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 103 (1) and 3 (5) of the BNS.

3. The case of the prosecution is that Shankar Kumar (deceased) was married with Puja Kumari @ Soni. After one year of the marriage, the informant came to know that his daughter-in-law was allegedly having an illicit relationship with one Siko Kumar. In this context, three to four *panchayats* were convened but the matter could not be resolve. It is further alleged that on 06.08.2025, the informant's son brother-in-law, namely, Hemant came to informant's house and requested him to forget the past mistakes and accompany with him to his



house. Thereafter, the informant's son Shankar Kumar went to his 'sasural' along with Hemant to bring back his wife. Subsequently, on 08.08.2025 at about 8:00 A.M., the decomposed dead body of Shankar Kumar found lying beside the Chhath-Ghat Pokhar near the Bhatgama Petrol Pump.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the petitioner is brother-in-law of the deceased. From perusal of the order passed by the learned trial Court, it appears that the cause of death of the deceased, Shankar Kumar has been opined to be *Asphyxia* and shock due to ante-mortem drowning. It is further submitted that the nature of allegation against the petitioner is general and omnibus. It is contended that the case is based entirely on circumstantial evidence and that there is no circumstance on record to show that the petitioner had any role in the alleged occurrence. Moreover, the petitioner is languishing in judicial custody since 03.02.2026. having no criminal antecedent. Learned counsel has further submitted that similarly situated co-accused persons have already been granted bail by this Court vide Cr. Misc. No. 89514 of 2025.

5. Learned APP appearing for the State has



vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chausa P.S. Case No. 222 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Udakishunganj.

(Ashok Kumar Pandey, J)

Shubham/-
Sneha/-

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