

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21909 of 2026

Arising Out of PS. Case No.-250 Year-2024 Thana- CHAPRA RAIL P.S. District- Saran

Santosh Kumar @ Santosh Basphor Son of Ghural Basfor R/o Village - Old
Mal Godam, near Durgasthan,P.S. - Ekma, Dist. - Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shabina Talat

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-05-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 103(1) and 238 of the
B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner is in custody since 19.09.2025 and is a person
with clean antecedent. It is next submitted that from perusal of
the allegations as alleged in the FIR, it would manifest that
informant alleges that his elder son received an information on
phone that some unknown accused after committing murder of
informant's younger son had kept his body on the railway track
with a view to destroy evidence. Accordingly, the informant
along with his relative reached Ekma Station and found the dead



body of his son with mark of injuries on chest and rib cage, and it appears that his son was shot.

4. The learned counsel for the petitioner submits that FIR was against unknown and during course of investigation, Md. Irfan was arrested who disclosed that his brother and petitioner are friends and he used to teach children at the house of the petitioner and children of surrounding area. Further, his mother and sister asked him not to come to the house for teaching the children for the reason that occurrence of murder of the deceased was committed in their house, since deceased had entered the house and acted inappropriately with his sister on account of which sister of the petitioner namely Manju Devi assaulted him by crowbar causing death. It is next submitted that thereafter brother of the petitioner namely Rajesh Kumar was also arrested whose statement was recorded and who disclosed the same facts as disclosed by Md. Irfan. It is further submitted that mother and sister of the petitioner were taken in custody. It is also submitted that even presuming what has been alleged is true without admitting, then it were the mother and sister of the petitioner, whose involvement transpired in the occurrence. It is further submitted that Manju Devi along with Putul Devi and Rajesh Kumar had approached this Court



seeking regular bail by filing Cr. Misc. No.44052 of 2025 and the same came to be allowed by an order dated 20.02.2026 passed by the then learned Coordinate Bench. It is thus submitted that when mother and sister of the petitioner have been granted the privilege of regular bail, no fruitful purpose would be served by keeping the petitioner behind bars. It is also submitted that if privilege of regular bail is granted, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chapra G.R.P. Rail P. S. Case No.250 of 2024.

7. The application stands allowed.

8. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying the delay the framing of charge or after framing of charge is trying to delay the trial in both the conditions, the learned trial



court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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