

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26801 of 2026

Arising Out of PS. Case No.-47 Year-2025 Thana- Patarghat District- Saharsa

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Pawan Sada S/o Chano Sada R/o vill- Forshaha, Ward no 16, P.S.- Patarghat,
Distirct- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 103(1) and 238 of B.N.S. while the charge-sheet has been submitted under Sections 103(1), 238, 61(2) and 3(5) of B.N.S.

3. The case of the prosecution, in short is that when the informant was returning home, on the way he was intercepted by some unknown miscreants who brutally murdered him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that name of this petitioner has surfaced



in this case on the basis of suspicion and after that, this petitioner has given his confessional statement. Save and except the confessional statement, there is nothing against him. It has further been submitted that during course of investigation, two witnesses, namely, Jagannath Rishideo and Bhukhni Devi have stated before the police that the deceased has given a mobile to the daughter of Sagar Sada and thereafter in anger, the petitioner along with others has killed the deceased. It has further been submitted that during course of trial, Bhukhni Devi and Jagannath Rishideo have been examined as P.W.-1 and P.W.-2 and they have declared hostile by the prosecution. They have not supported the case of the prosecution. It has further been submitted that only these two witnesses have imputed motive against the petitioner and others which is not substantiated during trial. Now, the case of the prosecution is based totally on confessional statement before the police which is not admissible. It has further been submitted that similarly situated co-accused Kuldeep Sada has been granted bail by learned Co-ordinate Bench of this Court vide Cr. Misc. No. 72655 of 2025. The case of this petitioner stands on similar footing. He is having no criminal antecedent and he is languishing in judicial custody since 25.04.2026.



5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the 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 Patarghat P.S. Case No. 47 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 Additional Sessions Judge-IV, Saharsa.

(Ashok Kumar Pandey, J)

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