

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23210 of 2026

Arising Out of PS. Case No.-40 Year-2025 Thana- RAGHUNATHPUR District- Siwan

BANWARI SINGH @ JITENDAR SINGH Son of Late Kamla Singh
Resident of Village - Subhhata, Police Station - Siswan, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 16.02.2025 in connection with Raghunathpur P.S. Case No. 40 of 2025 for the offences punishable under Sections 103(1) and 3(5) of the BNS.

3. The case of the prosecution, in brief, is that the informant namely Vinayak Kumar Singh has submitted a written application before the S.H.O. of Raghunathpur police station alleging therein in that one Soni Kumari used to call his younger brother namely Shivam Kumar Singh and on 13.02.2025 she came to the house of the informant and asked his brother to come with her and when his brother declined then the father of the girl namely Banwari Singh, Sashi Singh, Akash Singh came



to his house and took Shivam Singh (brother of informant) along with them. When brother of informant did not return till late night then the informant went to the house of accused persons and then accused persons said that Shivam Kumar Singh is not present here and he went to the Kumbh. The informant further alleged that on next day Soni Kumari gave shawl, ear phone and sleepers of the Shivam and state that she had found it in the field. The informant went to find his brother and then he found his dead body in the wheat field and he found the injury of knife on body of his brother and he is confident that Banwari Singh, Sashi Singh Akash Singh, Bamai Singh and Kundan Singh had killed his brother.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that from perusal of the FIR it appears that informant is not an eye-witness to the alleged occurrence and even no one has seen the alleged occurrence. It is next submitted that petitioner has been made an accused in the present case merely on the basis of suspicion and except the aforesaid



nothing has come during the investigation to suggest the involvement of the petitioner with the present occurrence and police after investigation has submitted charge-sheet and petitioner is in custody since 16.02.2025.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that paragraph nos. 10,11 and 12 of the case diary suggest that the petitioner was last seen with the deceased and except the aforesaid nothing has come during the investigation to suggest the involvement of the petitioner with the present occurrence.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Siwan in connection with Raghunathpur P.S. Case No. 40 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

U		T	
---	--	---	--

