

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28716 of 2026

Arising Out of PS. Case No.-779 Year-2025 Thana- MADHAURAH District- Saran

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Bittu Kumar, S/o Rambalak Mahto, R/o village - Bhawalpur, P.S -
Marhowrah, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Madhaura (Marhowrah) P.S. Case No.779 of 2025, registered under Sections 115(2), 126(2), 351(2), 352, 109(1), 3(5) of BNS.

3. As per the prosecution case, the petitioner and co-accused Rikku Kumar knocked the doors of the informant in the night and assaulted the informant with *lathi*, sword. They also assaulted the brother-in-law and sister-in-law of the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR is based on completely false and concocted story made up by the informant. The true facts of the case are that in the marriage of sister of the petitioner, an orchestra party had



been performing and the husband of the informant misbehaved with the dancers in the orchestra party, which was opposed by the co-accused brother of the petitioner. This enraged the husband of the informant and he along with his family members dragged the brother of the petitioner namely Rinku Kumar in the house where he was stabbed to death. The police was informed by calling 112 and upon arrival they did not search the house of the informant where the brother of the petitioner was kept. Later on his dead body was thrown outside. When the police came to know about the death of the brother of the petitioner, they again came, but their inaction was opposed by the villagers and, thereafter, the SHO in his self statement registered Madhaura P.S. Case No. 775 of 2025 against this petitioner and other co-villagers. For murder of the deceased Rinku Kumar, Madhaura P.S. Case No. 776/2025 has been registered. The present case, i.e., Madhaura P.S. Case No. 779 of 2025 has been lodged by the informant only to save her husband and other family members and in order to create the defence and as a counterblast. The learned counsel further submits that prior to lodging the case by the police, i.e., Madhaura P.S. Case No. 775/2025, the petitioner was having clean antecedent. The learned counsel further submits that the petitioner is a young man aged about 22 years.

5. The learned APP vehemently opposes the



submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the counter version and strong possibility of false implication, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/court concerned, in connection with Madhaura (Marhowrah) P.S. Case No. 779 of 2025, subject to the condition laid down under Section 482 (2) of the BNSS, 2023 and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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