

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36363 of 2026

Arising Out of PS. Case No.-141 Year-2024 Thana- ARER District- Madhubani

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Akash Kumar S/o Bhawan Jha R/o vill - Nawkarhi, P.S.- Arer, Distt.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratnesh Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 08-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in Arer P.S. Case No. 141
of 2024 (G.R. No. 51 of 2025, S.Tr. No. 295 of 2025) registered
for the offence under Section 103(1) of the Bharatiya Nyaya
Sanhita, 2023.

3. The allegation is that the Bhabhi of the informant
reached her house, where she saw the dead body of her brother-
in-law, who had been stabbed, lying on the bed. The First
Information Report was lodged against unknown persons.

4. Learned counsel for the petitioner submits that the
police, in the course of investigation, came to know that the
deceased and the petitioner were in a drunken state and that the
petitioner was one of the companions of the deceased. Upon



arrest, the petitioner stated that both were in a drunken state; the deceased had started insisting on more liquor and, on being refused, suddenly picked up a fight, in retaliation to which the petitioner killed him. Learned counsel further submits that no incriminating article was recovered from the possession of the petitioner and no blood stains were found on the bed or in the room. He next submits that the petitioner has been in custody since 06.11.2024 and has no criminal antecedents.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering that the deceased was killed in the manner not suggested by the prosecution, and the confession presented an entirely new story, which has the elements of private defence, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Special/Vigilance Court, Patna in connection with Arer P.S. Case No. 141 of 2024 (G.R. No. 51 of 2025, S.Tr. No. 295 of 2025).

8. It is made clear that any observation made herein is



prima facie in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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