

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29913 of 2026

Arising Out of PS. Case No.-238 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Jhapsi Ram S/O Late Bhola Ram R/O Kharauni, P.S.- Udawantnagar, Dist.-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kumar Gautam, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 24-06-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Udawantnagar P.S. Case No. 238 of 2025 registered for the offences punishable under Sections 103, 238, 3(5) of B.N.S. 2023.

3. As per the prosecution case, on 08.05.2025, at about 10:00 P.M., the petitioner, along with co-accused Bumbum Ram and Shiv Mahima Ram, came to the house of the informant and took away the husband of the informant with them. It has further been alleged that at about 11:00 P.M., some villagers informed the informant that the dead body of her husband was lying on the road. Thereafter, the informant went to the spot and found that her husband had died. It has further



been alleged that the dead body of her husband was brought to the house on the same day. It has also been alleged that on 09.05.2025, at about 07:00 A.M., the police were informed, whereafter the police took the dead body for post-mortem examination. It has further been alleged that after the post-mortem examination, the dead body was handed over to the informant and her family members and the cremation was performed. Thereafter, upon returning home, the informant expressed strong suspicion against the petitioner and six other named accused persons and suspected them to have committed the murder of the husband of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted, with reference to the FIR itself, that the petitioner and two other co-accused persons are alleged to have taken away the deceased on 08.05.2025 at about 10:00 P.M., and one hour thereafter, the informant came to know that the deceased had been done to death and his dead body was lying by the side of the road. The informant then went there, brought the dead body to the house and, thereafter, on the next day itself, i.e., on 09.05.2025 at about 07:00 A.M., informed the police.



5. It has further been submitted, with reference to the inquest report, that the inquest of the deceased was prepared on 09.05.2025 at 08:10 A.M., and two sons of the informant, who also happen to be witnesses to the FIR, were present during the preparation of the inquest report. Thereafter, the post-mortem examination was conducted and the dead body was cremated. Subsequently, the fardbeyan of the informant was recorded at her house on 09.05.2025 at 07:30 P.M.

6. Learned counsel for the petitioner has further submitted that the fardbeyan came to be recorded only after the dead body had been cremated and no case was lodged from the time of the recovery of the dead body till its cremation. Learned counsel for the petitioner has submitted that there is no eyewitness to the alleged occurrence of murder and the theory of last seen has been developed at a belated stage after the post-mortem examination and cremation of the dead body had already been conducted. It has also been submitted that the charge-sheet has been filed and there is no allegation of tampering with evidence against the petitioner. Lastly, it has been submitted that the petitioner has got no criminal antecedent and he is in custody since 18.09.2025

7. Learned APP for the State has vehemently opposed



the prayer for bail of the petitioner.

8. Heard the parties and perused the record.

9. Considering the facts and circumstances of the case, let the petitioner above-named, be enlarged 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 learned Court concerned, Bhojpur, in connection with Udawantnagar P.S. Case No. 238 of 2025.

10. The application stands allowed.

(Praveen Kumar, J)

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