

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29827 of 2026

Arising Out of PS. Case No.-210 Year-2025 Thana- Mehsoul District- Sitamarhi

Sanjiv Kumar S/o- Pramod Ray Resident Of Village- Madhopur Raushan
Bheesa Ward No- 43, Ps- Dumra, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Senior Advocate
		Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the Informant/s	:	Mr. Ritesh Kumar Narain Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 15-07-2026 Heard learned senior counsel for the petitioner and learned APP for the State as well as learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Mehsoul P.S. Case No. 210 of 2025 dated 03.12.2025 registered for the offences punishable under Sections 103(1), 238(a), 61(2), 3(5) of B.N.S. and Section 27 of the Arms Act.

3. As per the allegation, on 02.12.2025 at 07:00 PM, the petitioner along with the named co-accused persons Sanjiv Kumar and Nitish Kumar and 3-4 unknown persons took the son of the informant, namely Ripu Kumar, and committed his



murder and threw his dead body near Nahar Chowk, thereafter they fled away from there. It has further been alleged that previously also threats were meted out to her son and due to earlier dispute the son of the informant was killed. It has further been alleged that the dead body of the deceased son of the informant was recovered and was taken to Sadar Hospital, where he was declared brought dead and thereafter the dead body was sent for post-mortem examination. After post-mortem examination, the dead body of the son of the informant was handed over to another son of the informant, namely Kaushav, where the informant came to know that the deceased son has received gunshot injury.

4. Learned senior counsel for the petitioner has submitted that the case of last seen has been alleged after the dead body was recovered, when the police had already sent the dead body for post-mortem examination and the same was handed over to the informant after post-mortem examination. Learned senior counsel for the petitioner has drawn the attention of the Court to Para-4 of the case diary, wherein the police has reached to the place of recovery of the dead body on 02.12.2025 in the evening hours, the family members of the deceased also came to the place of occurrence, the FSL team inspected the



place and seized some articles, thereafter request was made to the family members of the deceased to give statement, but they in turn stated that they would give a written report through the mother of the informant at the police station. Learned senior counsel for the petitioner has further submitted that two witnesses during the course of investigation who was examined, after almost a week, stated that it was the co-accused Nitish Kumar, who fired upon the deceased and this petitioner was catching hold the deceased. It has further been submitted that the allegation of catching hold has been purposely leveled in order to falsely implicate the petitioner. It has further been submitted that no person would take the risk of catching hold, when the other person is firing, specially when the injuries are on back and scapula. It has further been submitted that the charge-sheet has been submitted in this case and there is no allegation of tampering against the petitioner. It has further been submitted that petitioner has got no criminal antecedent. It has lastly been submitted that petitioner is in custody since 08.12.2025.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner.



6. Learned counsel for the informant has further submitted that there are sufficient materials against the petitioner, he was last seen with the deceased and his presence was found at the place of occurrence by some of the witnesses.

7. Heard learned counsel for the parties and perused the records.

8. Considering the facts and circumstances of the case as well as nature of material against the petitioner, the petitioner above-named is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court C.J.M, Sitamarhi, in connection with Mehsoul P.S. Case No. 210 of 2025, with following conditions:-

(i) The petitioner is directed to co-operate in the trial and be well represented on each and every date fixed in the trial and failure to appear on two consecutive dates without plausible explanation, the court below would be at liberty to cancel the bail bonds of the petitioner.

(ii) It is further directed that the petitioners will not tamper with the evidence and if they do so, the prosecution would be at liberty to file appropriate application for cancellation of bail bonds.



(iii) It is further directed that one of the bailors shall
be a close relative of the petitioner.

9. The application stands allowed.

(Praveen Kumar, J)

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