

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32987 of 2026

Arising Out of PS. Case No.-79 Year-2026 Thana- GARKHA District- Saran

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1. Rakesh Kumar S/o Ashok Ram R/o vill - Matkhowa, P.S.- Garkha, Distt.- Saran at Chapra
 2. Vikash Ram S/o Rijit Ram R/o vill - Matkhowa, P.S.- Garkha, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Garkha P.S. Case No. 79 of 2026 registered for the offence punishable under Sections 103(1), 238(a), 61(2)(a), 303(2) of B.N.S.

3. The case of the prosecution, in short, is that the petitioner along with others have taken away the brother of informant and when he did not return in night, he was searched and the informant came to know that a body is lying near a ditch, that was the deceased.

4. Learned counsel appearing on behalf of the



petitioner has submitted that from the perusal of the FIR, it is clear that it is a case of last seen. No one is the eye witness of this case. During the course of investigation, it has come that the deceased was having illicit relationship with the sister of one Mithai Ram and due to which Mithai Ram was not happy with this relationship. It is alleged that the petitioner along with other accused persons named in the FIR have killed the deceased by pressing his neck with the help of stole. Learned counsel for the petitioner has further submitted that from perusal of the Post-Mortem report, it is clear that the doctor is conducting autopsy of the deceased, has opined that the cause of death is drowning. But from perusal of the Post-Mortem report, it is clear that two ligature marks were also present on the front of neck of the deceased. Save and except ligature mark, no external injury was found on the person of the deceased. Nature of allegation is general and omnibus. Save and except confessional statement, nothing is against the petitioner.

5. Learned APP vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named



petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the court of learned J.M. Saran at Chapra in connection with Garkha P.S. Case No. 79 of 2026.

(Ashok Kumar Pandey, J)

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