

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32170 of 2026

Arising Out of PS. Case No.-130 Year-2025 Thana- CHANDAUTI District- Gaya

Deepak Kushbaha @ Deepak Kumar son of Late Chhotu Kushbaha @
Chhotelal Prasad Resident of Mohalla- chhotki Nawada Gandhi More PS
-Delha Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Priya Ranjan, Advocate Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar, APP
For the Informant	:	Mr. Gajendra Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 22-07-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Chandauti P.S. Case No. 130 of 2025 instituted for the offences
under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the accused
persons allegedly assaulted the informant's son to death.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case merely
on the basis of suspicion. Learned counsel further submitted that
the prosecution case rests only on the alleged illicit relationship
between the deceased and the petitioner's wife, which at best



provides a motive and cannot by itself constitute evidence of the petitioner's involvement. He further submitted that there is no eye-witness to the occurrence, no incriminating recovery has been made from the possession of the petitioner, and the case is based purely on surmises and suspicion. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.01.2026 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chandauti P.S. Case No. 130 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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