

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32738 of 2026

Arising Out of PS. Case No.-637 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Devendra Prasad @ Devendra Kumar S/o Late Chhathu Prasad @ Chhathu
Prasad R/o Village - Godhwa, P.S - Muffasil Motihari, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

4 24-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 637 of 2025 lodged on 03.10.2025, for
the offence punishable under Sections 103(1), 3(5) and 61(2) of
the Bharatiya Nyaya Sanhita, 2023.

3. Allegation levelled in the F.I.R, is that, Rahul
Kumar, Khanahi Prasad, Devendra Prasad and Laxman Prasad
came to the house of the informant and took his son Mantu
Kumar. Informant further alleged that his son did not return
back. Informant went to the house of Rahul Kumar, where other
accused persons were talking to each other and they become
furious upon the informant and abused him. Thereafter, when



the informant was returning to his house, meanwhile, on the way, he came to know that dead body of his son is lying in the field. It is further alleged that the petitioner and other co-accused persons have committed murder of his son.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 16.02.2026 and has falsely been implicated in this case. Counsel further submits that one case is pending against the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner taking into account that son of the informant has died.

6. Having heard the parties and taking into account that the name of the petitioner has surfaced on mere suspicion and coupled with the fact that the other co-accused persons have been granted bail by Hon'ble Court, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the likewise amount each to the satisfaction of learned C.J.M, East Champaran at Motihari in connection with Muffasil P.S. Case No. 637 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.



(II) The petitioner shall appear on each and every date fixed during the trial and also co-operate in the process of trial.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioner shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar, J)

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