

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32369 of 2026

Arising Out of PS. Case No.-167 Year-2023 Thana- PAHARPUR District- East Champaran

Daroga Singh @ Daroga Kumar S/o Late Ganesh Singh, R/o Village- Siswa
Kanhi Tola, P.S - Paharpur, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Binay Kant Mani Tripathi, Advocate
For the State	:	Mr. (Dr.) Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-07-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Paharpur P.S. Case No. 167 of 2023 dated 13.05.2023, registered for the offences punishable under Sections 328, 302, 447, 341, 342, 323, 354, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, petitioner and other co-accused persons in the background of their earlier dispute, caught hold of the husband of the informant and forcibly administered him poison causing his death.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The FIR in the



present case has been instituted after a delay of 23 hours without any satisfactory explanation. The inquest report mentions the cause of death to be intake of poison. The witnesses examined during investigation have not supported the prosecution case, they have rather stated that due to quarrel between the informant and her husband, the husband consumed poison. The viscera report shows that the deceased consumed celphos tablets and this falsifies the allegation of informant who claims herself to be the eyewitness of the alleged occurrence and states that petitioner and other co-accused persons forcibly administered some poison to her husband which was kept in a small bottle. Learned counsel next submits that celphos, if liquefied, would become harmless. Learned counsel further submits that considering these facts and circumstances, a co-accused Naresh Singh was granted bail by a learned co-ordinate Bench of this Court *vide* order dated 15.07.2026 passed in Cr. Misc. No. 32111 of 2026. Learned counsel next submits that petitioner is having antecedent of two cases and he is on bail in both the cases. Learned counsel lastly submits that petitioner is in custody since 12.02.2026 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State



opposes the submissions made on behalf of the petitioner. However, learned A.P.P. concedes that some of the witnesses have stated about the husband of the informant himself consuming poison.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation levelled against the petitioner and further considering his period of custody and submission of chargesheet against him, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Motihari, East Champaran / concerned Court, in connection with **Paharpur P.S. Case No. 167 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.



*(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the Court
concerned.*

(Arun Kumar Jha, J)

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