

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36521 of 2026

Arising Out of PS. Case No.-38 Year-2025 Thana- Singhaul District- Begusarai

Santosh Kumar S/O Hareram Singh R/O Village - Ramdiri, Akshpur P.S-
Singhaul, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-07-2026

Ref: I.A. No.1 of 2026

Heard learned Senior Counsel for the petitioner,
learned Counsel for the Informant and learned APP for the State.

2. Learned Senior Counsel for the petitioner submits
that due to inadvertent mistake in the prayer portion the
expression ‘Chief Judicial Magistrate, Lakhisarai’ has been
typed in place of ‘Chief Judicial Magistrate, Begusarai’. He
seeks permission to correct the same.

3. Permission is accorded to correct the same in
course of the day.

4. Accordingly, I.A. No.1 of 2026 is allowed.

5. The present criminal miscellaneous application has
been filed under Sections 483 and 484 of the Bharatiya Nagarik
Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS,



2023') for grant of regular bail to the petitioner who is in custody in connection with Singhaul P.S. Case No. 38 of 2025, lodged on 10/02/2025, under Sections 103(1), 61(2) of the Bhartiya Nyaya Sanhita, 2023 and under Section 27 of the Arms Act.

6. As per the prosecution, in the FIR it has been alleged that some unknown persons have killed the informant's son. There is no whisper in the FIR against the present petitioner.

7. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that petitioner has no criminal antecedent and he is unnecessarily in custody since 07/04/2026. Counsel submits that in the case-diary only suspicion has been raised against him and only on the ground of suspicion he is in custody. Counsel submits that there is no eyewitness of the said occurrence and by the knowledge of the *guptchar* the suspicion has been casted against the present and due to this reason the present case is pending against him. Learned Senior Counsel for the petitioner submits that charge sheet has already been filed against the petitioner. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed



upon him.

8. Learned Counsel for Informant, on the other hand, opposes the prayer for bail and submits that in the case diary it has come categorically that there were two persons who used to do the milk business, namely, Om Prakash Singh and Santosh Singh. Due to rivalry of the business, anyone who used to work for Om Prakash Singh was earlier also threaten and subsequently, the son of the informant was also threaten earlier but he could not stop doing work for Om Prakash Singh and in result he was murdered.

9. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner.

10. Considering the nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner **at present**. Hence, the prayer for bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

Mkr./Anshuman/

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