

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37235 of 2026

Arising Out of PS. Case No.-82 Year-2026 Thana- SAHPUR District- Patna

1. Harsh Kumar Son of Mukesh Prasad @ Mukesh Ram Resident of Village-Tiwari Chak, P.S.- Naubatpur, District- Patna
2. Mukesh Prasad @ Mukesh Ram Son of Nasiman Ram Resident of Village-Tiwari Chak, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate. Mr. Rahul Singh, Advocate
For the Informant	:	Mr. Rikesh Sinha, Advocate. Mr. Rakesh Kumar, Advocate.
For the Opposite Party/s	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

3 25-06-2026 Heard learned counsel for the petitioners; learned counsel for the informant and learned APP for the State.

2. The petitioners have prayed for bail in connection with Shahpur P.S. Case No. 82 of 2026 registered for the offence punishable under Sections 126(2), 127(2), 115(2), 109, 61, 238, 351(2), 103(2) and 352 of the B.N.S., 2023

3. The case of the prosecution is that the son of the informant was called by the petitioners and others and was killed. It is alleged that the son of the informant was having an illicit relationship with Juli Kumari, wife of one Ravi Kumar. Juli Kumari has called the son of the informant. The informant



went there again. Juli Kumari called at 02:45 AM on the same day and told the informant that her son is lying on the road. When the informant went to search her son, she did not find her son. The information was given to the police station. Juli and her in-laws were not present and the body of the informant's son was found in the bushes before the house of Juli. The son of the informant was badly injured and he was admitted to a hospital near Saguna More and it is alleged that the petitioners, along with others, has killed the son of the informant.

4. Learned counsel for the petitioners submits that from perusal of the FIR, it is clear that the informant is not the eye-witness to the said occurrence. He also submits that during the investigation, it has come out that the deceased was having an illicit relationship with Juli Kumari, and on the alleged date, the deceased was seen with Juli Kumari on the roof of Juli Kumari. The father-in-law and mother-in-law of Juli Kumari saw him, the boy jumped from the rooftop and got injured.

5. Learned counsel for the petitioners further submits that petitioner number 1 is a nephew of the husband of Juli Kumari and petitioner number 2 is brother-in-law and they are residents of different places. From perusal of the post-mortem report, it transpires that the deceased has received the following



ante-mortem injuries: - Bleeding from the nose is present. Blackening between the eyes is present. Abrasion is present over the left arm, 4 cm x 2 cm. An abrasion on the right shoulder, 3 cm x 2 cm, is present. Abrasion on the right side, 5 cm x 2 cm, presents a lacerated wound on the corner of the right eyebrow and other abrasions were found.

6. Learned counsel for the petitioners further submits that the deceased has died due to falling from the roof, and it is alleged that as he was seen by the mother-in-law and father-in-law of Juli Kumari, he jumped from the roof. Moreover, a statement has been made in para 3 of the petition that petitioners have no criminal antecedent and they are languishing in judicial custody since 05.03.2026.

7. The prayer for bail is vehemently opposed by the learned counsel for the informant and the learned APP for the State and submits that if any person were to jump from the roof, he would land on his legs, and there would be fracture of legs, but from perusal of the post-mortem report, it is clear that there is no fracture or no injury on the legs. So the story that has been propounded by the petitioner regarding death is not believable. This case is based wholly on circumstantial evidence and the only material available is that Juli Kumari (the wife of Ravi



Kumar) was in a relationship with Arjun (deceased). It is an admitted fact that there is no eyewitness to the case, and petitioners are not residents of the same place. They are residents of the village Diwari Chak, police station Naubatpur, whereas the husband of Juli Kumari, Ravi Kumar, is a resident of Nargada P.S., Shahpur district, Patna.

8. 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 learned Sub-divisional Judicial Magistrate, Danapur, Patna in connection with Shahpur P.S. Case No. 82 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

AFR/NAFR	NAFR
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