

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38761 of 2026

Arising Out of PS. Case No.-287 Year-2025 Thana- BHAGWANPUR District- Begusarai

Dhiraj Kumar @ Dheeraj Kumar S/o Rambriksha Mahto @ Rambriksha Mahton @ Rambriksha Ray R/o Village- Akaha (Akha) Bari Akaha ,P.O -Ishapur P.S -Bhagwanpur ,District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 13.10.2025 in connection with Bhagwanpur P.S. Case No. 287 of 2025 for the offences punishable under Sections 103(1) and 3(5) of BNS.

3. According to prosecution case, the informant of this case got solemnized the marriage of his daughter with the petitioner 10 years earlier from the date of the incident as per Hindu rites and customs and out of the said wedlock four children were born out and it is further allegation that on 28.09.2025 at 2:00 a.m in the night the daughter of the informant was killed at the matrimonial home and the petitioner and his family members fled away after executing the offence.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further



submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that in fact the victim has died due to incident and police after investigation submitted the charge sheet no. 1 of 2026 under Sections 108 and 3(5) of the BNS, 2023 on 09.01.2026 and learned court below has taken cognizance vide order dated 28.04.2026 under Sections 108 and 3(5) of the BNS, 2023. Learned counsel for the petitioner next submits that police after investigation has submitted charge sheet and the petitioner is in custody since 13.10.2025.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and that petitioner is a person with clean antecedent and also the fact that police after investigation submitted the charge sheet no. 1 of 2026 under Sections 108 and 3(5) of the BNS, 2023 on 09.01.2026 and learned court below has taken cognizance vide order dated 28.04.2026 under Sections 108 and 3(5) of the BNS, 2023, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional CJM-V, Begusarai in connection with Bhagwanpur



P.S. Case No. 287 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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