

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48941 of 2025

Arising Out of PS. Case No.-315 Year-2024 Thana- RAGHOPUR District- Vaishali

Bhullu Rai @ Bhullu Kumar S/o Lala Rai @ Lal Babu Ray R/O Village -
Hematpur, PS - Rustampur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Soni Kumari, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-02-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 103, 61(2) and 3(5) of the
BNS.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case under the Excise Act and is
in custody since 11.11.2024 and the informant alleges that her
husband was sent to judicial custody in some case as such she
was staying with her child and petitioner, being friend of her
husband, used to visit her and even started pressurizing her to
marry him and when the informant refused he forcefully took
her child away. Further, when she requested the petitioner to
return her child, he started pressurizing that if she will not marry
him the child would be killed. It is next alleged that the dead



body of the child was found on 09.11.2024, thus, alleges that petitioner committed the occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that dead body of the child was found on 09.11.2024 but then the FIR came to be instituted on 10.11.2024 at 02:10 p.m. but prior to that the inquest and postmortem of the deceased was conducted. It is thus submitted that thereafter the informant instituted the instant case.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that the informant, being mother, has specifically alleged that after her husband was sent to judicial custody, the petitioner being his friend used to visit her and pressurized her to marry him and when she refused the petitioner took the child away and finally the dead body of the child was found. It is thus submitted that no mother would try to falsely implicate a person knowing that he was not involved in the occurrence. It is further submitted that informant may not be an eyewitness to the occurrence but then specific allegation is that petitioner had taken away her



child.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to release the petitioner on bail in connection with Raghopur P.S. Case No. 315 of 2024 pending in the Court of learned 15th Additional Chief Judicial Magistrate, City Court, Patna/Successor Court.

7. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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