IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49507 of 2026

CNR No. BRHC010711372026

Arising Out of PS. Case No.-24 Year-2026 Thana- Jaitpur District- Muzaffarpur

==========

Santosh Kumar S/o Shivnath Bhagat R/o Village- Karja Naya Tola, P.S.- Karja, Dist.- Muzaffarpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Mayank Raj, Advocate
Mr. Adarsh Prasar, Advocate
Mr. Ravi Ranjan Kumar, Advocate
Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

==========

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

3 30-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 103(1) BNS.

3. The case of the prosecution is that the husband of the informant was killed by unknown persons. The dead body of the deceased was found on the flank of the road. After that the body was sent of postmortem.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Moreover, a statement has been made in para-3 of the petition that the petitioner is having no criminal antecedent. He is languishing in judicial custody

WEB COPY

since 10.02.2026. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that FIR was lodged against unknown miscreants. During course of investigation, the petitioner has given his confessional statement. In the confessional statement, it has come that the deceased used to work at the shop of this petitioner and on the day of the occurrence, he has come in inebriated condition and has started demanding rupees three thousand of commission as he has mediated in selling a *palang*. On this, hot talks were held between the parties and in anger, this petitioner has pushed him towards the wall. After that, it is stated in the confessional statement of the petitioner and one Sudhir Kumar pressed his neck due to which he died on the spot. It has further been submitted that save and except confessional statement, there is nothing against him. The bloodstains were found on the wall of the shop. It has further been submitted that even if, the confessional statement of the petitioner has taken to be true then also, only allegation against the petitioner is that due to anger which was generated by the deceased, petitioner has pushed him towards the wall and from perusal of the postmortem report also it transpires that doctor conducting autopsy of the deceased has found following ante-mortem injuries:-

(i) Abrasion of 3” X 1” on abdomen at right side.

WEB COPY

(ii) Lacerated wound of 1” X ½” X SD on right ear.

(iii) Bruise on right side of neck. The doctor has conducted the autopsy of the deceased and has found that the cause of death was hemorrhage and shock due to above noted injuries.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jaitpur P.S. Case No. 24 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Court No. 07, Muzaffarpur (West).

(Ashok Kumar Pandey, J)

Shubham/-
Sneha/-

U		T	

WEB COPY