

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51504 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- FULKAHA District- Araria

Nebo Das @ Nembu @ Nebu Das Son of Badri Das, Resident of Village-
Dharhara, Ward No. 01, Madhura West, P.S.- Fulkaha, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Mukesh Kumar Rana, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Fulkaha P.S. Case No. 21 of 2026 dated 01.02.2026, registered for the offences punishable under Sections 103(1) and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the daughter of the informant was married with co-accused Ajay Kumar Das and they had two sons and a daughter from this wedlock. The allegation against the co-accused is that he entered into a illicit relationship with another girl and for this reason there used to be a quarrel in the family. The informant further alleged that this petitioner who is father of the co-accused Ajay Kumar Das and other family members used to torture the daughter of the



informant and a *panchayat* was also held to sort out the matter. On 01.02.2026, the son of the informant received a phone call about the death of his sister and the informant alleged that the petitioner and other co-accused persons killed his daughter by putting a pillow over her face causing asphyxia.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From the FIR it is apparent that there is no eyewitness to the alleged occurrence and only on the basis of conjecture and surmises, the present case has been lodged implicating the petitioner. From the FIR, it is also apparent that co-accused Ajay Kumar Das was having illicit relationship with some girl and this was the reason for quarrel between the deceased and the co-accused. Though there is allegation that the daughter of the informant was killed by putting a pillow over her mouth, but the *post-mortem* report does not show any external injury and doctor did not record any opinion about the cause of death and rather opinion was reserved for chemical examination report of viscera. The co-accused husband of the deceased is in custody since 02.02.2026. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned



counsel lastly submits that petitioner is in custody since 02.02.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that there is direct and specific allegation against the petitioner and other co-accused persons for causing death of the daughter of the informant in her matrimonial home.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and his clean antecedent, submission of chargesheet against him and his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria / concerned Court, in connection with **Fulkaha P.S. Case No. 21 of 2026**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and



every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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