IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58725 of 2026

CNR No. BRHC010781802026

Arising Out of PS. Case No.-484 Year-2024 Thana- MAJHAULIA District- West Champaran

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Bikki Sah @ Vikki Sah S/o Chandradev Sah Resident of Vill- Chuhadi, P.S.- Chanpatia, Dist- West Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

2 18-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Majhauliya P.S. Case No. 484 of 2024 registered for the offences punishable under Sections 103(1), 238, 3(5) of the B.N.S.

3. As per prosecution case, the informant came to know that a dead body was lying in a plastic bag by the side of a canal near Mahedipur Tola Railway crossing. It is alleged that the informant reached there and found that bad smell was coming from the bag. Thereafter, the bag was opened and a dead body of a female was found in the bag in decomposed condition. It is further alleged that an inquest report was prepared and the dead body was send to G.M.C.H., Bettiah for post-mortem.

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4. Learned counsel for the petitioner submits that the FIR is lodged against unknown persons. He further submits that co-accused Birendra Sah has confessed that the deceased had committed suicide in her house and he wanted to dispose of her dead body and to give information to police. He further submits that upon the advice of co-accused Krishna Sah, the dead body was cut into different parts and after packing the same in a bag and the same was disposed of with the help of other accused persons including the petitioner. He further submits that as per the confessional statement of the said co-accused, the only role assigned to the petitioner was that being a friend of the family, he simply assisted in disposal of the dead body and accusation at best constitute an offence under Section 201 of IPC against the petitioner which is bailable in nature. He further submits that even confessional statement of the co-accused Birendra Sah has no evidentiary value in the eye of law as nothing has been recovered upon the confession of the said co-accused rather the informant has already stated in the FIR that the dead body was found lying in a plastic bag by the side of a canal near Mahedipur Tola Railway crossing and the same was not recovered upon the confessional statement of said co-accused. So, the very statement of the said co-accused has no relevancy in the given facts and circumstance of the case. He further submits that petitioner is quite innocent and

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has committed no offence as alleged in the FIR. He further submits that co-accused Virendra Sah @ Birendra Sah, who is the father of the victim, has already been granted bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 86005 of 2024. Further, co-accused Krishna Sah and Prabhu Sah have also been granted bail by the Co-ordinate Bench of this Court vide Cr. Misc. Nos. 59591 of 2025 and 14849 of 2025 respectively and the case of present petitioner stands more or less on similar footing. Hence, petitioner deserves bail. He further submits that petitioner is in custody since 11.03.2026 and he bears no criminal antecedent. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that the during the course of investigation, the role of the petitioner has been found in the present case and he cannot escape from the allegation made in FIR. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, co-accused have already been granted bail by the Co-ordinate Benches of this court, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted, argument advanced on behalf

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of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran/ Successor Court in connection with Majhauliya P.S. Case No. 484 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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