IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55469 of 2026

CNR No. BRHC010795032026

Arising Out of PS. Case No.-97 Year-2026 Thana- DAGARUA District- Purnia

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Pritam Kumar @ Pritam Kumar Yadav, S/O Jay Prakash Yadav, Resident of Village- Rajbeli, Ward No. 15, P.S- Dagarua , District- Purnea.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
Mr.Bidhu Ranjan, Advocate
For the Opposite Party/s : Mrs.Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

4 27-10-2026 Heard the learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with S.T. No. 407/2026, arising out of Dagarua P.S. Case No. 97 of 2026, registered for offences punishable under Sections 137(2), 140(1), 70(1), 103(1), 64, 238, 3(5) of BNS.

3. As per prosecution case, the daughter of the informant went missing on 11.03.2026 when she went outside to attend call of nature. Subsequently, co-accused was apprehended, who was in touch with the daughter of the informant and he disclosed that he along with the petitioner and other co-accused persons murdered the daughter of the

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informant after committing rape with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. Except for the confessional statement of co-accused, no material has come against this petitioner showing his involvement in the occurrence. Even the dead body was recovered at the instance of co-accused Sachin Kumar. There is no eye witness in this case and the case against the petitioner is based on suspicion and circumstantial evidence only. No scientific evidence against the petitioner has been collected, like DNA, finger prints, CCTV footage etc. Even in the confessional statement, there is general and omnibus allegation against all the accused persons for strangulating the daughter of the informant. The petitioner is in custody since 04.04.2026 and is having clean antecedent. Charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf of the learned counsel for the petitioner. Learned APP submits that the petitioner and co-accused Sachin were in contact on mobile phone and the co-accused was also in contact with the deceased girl. The deceased girl was called out by the co-accused and petitioner and other co-accused person

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Sachin made physical relationship with the deceased and, thereafter, the petitioner and other co-accused persons forced them upon the deceased, who threatened them with prosecution and for this reason, they strangulated her. Learned APP further submits that the tower location of the mobile phone of the petitioner was found at the place of occurrence along with other co-accused persons, which substantiates the allegation against the petitioner.

6. Having regard to the seriousness of the allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. Hence, his prayer for grant of bail is rejected.

8. A report has been received from learned Additional Sessions Judge-5, Purnea wherein he has submitted that charges have been framed in this case and trial was likely to take six months for its conclusion.

9. Hence, the learned trial court is impressed upon to abide by its undertaking.

(Arun Kumar Jha, J)

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