

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61728 of 2025

Arising Out of PS. Case No.-393 Year-2024 Thana- PIRBAHOR District- Patna

Damodar Yadav @ Damodar Rai S/o Ambika Rai @ Pahari Rai R/o Village- Sabalpur Nawal Tola, P.S.- Sonpur, District- Saran, at present Police Line Collectriate Ghat, P.S.- Gandhi Maidan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smita Kumari
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 06-02-2026 Heard the parties.

2. The petitioner seeks bail in connection with Pirbahore P.S. Case No. 393 of 2024 registered for the offence under Sections 103(1), 61(2), 3(5) of BNS.

3. The petitioner is named in the F.I.R. and is in custody since 23.10.2024.

4. As per FIR informant raised suspicion against petitioner and his wife to commit murder of the husband of the informant.

5. Learned counsel appearing on behalf of the petitioner submitted that the informant is not an eye



witness of the occurrence and merely on the basis of suspicion petitioner implicated alongwith his wife. It is submitted that during course of investigation nothing incriminating appears against petitioner except confessional statement of the co-accused. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by Ms. Jhanvi learned counsel for the informant while opposing the prayer of bail submitted that petitioner is named in FIR, however, she fairly conceded that the informant is not an eye witness of the occurrence.

7. In view of aforesaid factual submission and by taking note of fact as informant is not an eye witness of the occurrence, coupled with fact as investigation of this case already completed, where petitioner remains in



custody since 23.10.2024, accordingly petitioner above named, is directed to be released on bail in connection with Pirbahore P.S. Case No. 393 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Patna /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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