IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58255 of 2026

CNR No. BRHC010826272026

Arising Out of PS. Case No.-92 Year-2024 Thana- BELSAND District- Sitamarhi

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Shekhar Kumar @ Shekhar Singh Late Vinod Kumar Resident of Village- Baradih, Ward No.5, P.S.- Runnisaidpur, Dist- Sitamarhi

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

3 29-10-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Belsand P.S. Case No. 92 of 2024, registered for the offences punishable under Sections 309(4) and 103 of the BNS.

3. As per allegation, in the night of 26.07.2024, the priest, of *Ram Janki Math, Jafarpur*, who had been residing there for the preceding six to seven months, was murdered by unknown miscreants by slitting his throat with a knife while he was sleeping in the *verandah* of the Math. It is further alleged that the said miscreants stole the idols of Lord Ram, Goddess *Sita*, Lord *Lakshman*, Lord *Hanuman*, and

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Radha-Krishna, all made of *Ashtadhatu*, from the said Math. While the informant reached the place of occurrence after receiving information from his son, he found the priest dead where there were presence of the police and the villagers.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has not been named in the FIR. His name has surfaced on the basis of the confessional statement of co-accused Md. Saddam. It is also submitted that pursuant to the confession of co-accused Md. Saddam, the booty was recovered. Learned counsel has further submitted that the specific allegation of slitting the deceased's throat has been attributed to co-accused Md. Saddam. So far as the present petitioner is concerned, it has transpired from paragraphs 183 and 191 of the case diary that he was also present along with the other accused persons and one loaded pistol along with 5 cartridges were allegedly recovered from his possession during his apprehension. However, no specific allegation of assault has been attributed to him. It is further submitted that another co-accused, namely, Manishankar Singh @ Mani Singh @ Manishank Singh, whose name had also surfaced in

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the confessional statement of the co-accused, has been enlarged on bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 90109 of 2025, vide order dated 20.02.2026. Another co-accused, namely, Deepu Kumar @ Deepu Rai, has also been enlarged on bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 55356 of 2026, vide order dated 12.08.2026. Learned counsel has also submitted that the petitioner is an accused in five cases, out of which four cases have been disclosed in paragraph 3 of the main bail application, while the detail of the fifth case has been brought on record by way of filing a supplementary affidavit. It is further submitted that in one of the cases mentioned at serial no. (ii) of paragraph 3 of the main bail application, the petitioner has been acquitted on the basis of a compromise. It is lastly submitted that the charge sheet has already been submitted and charges have also been framed against the petitioner. The petitioner has been in judicial custody since 27.01.2026. Learned counsel for the petitioner undertakes that the petitioner shall cooperate with the trial and shall not indulge in any offence of similar nature in future.

5. On the other hand, learned APP for the State has though opposed the prayer for bail but he has conceded

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that the specific allegation of slitting the deceased's throat has been attributed to co-accused Md. Saddam.

6. Taking into consideration the facts and circumstances of the case, particularly the fact that the petitioner has not been named in the FIR and his name has surfaced on the basis of the confessional statement of a co-accused, as well as the fact that other similarly situated co-accused persons have already been enlarged on bail, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned J.M.-Ist Class/concerned Court, Sitamarhi in connection with Belsand P.S. Case No. 92 of 2024, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

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(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the five cases as mentioned in paragraph no. 3 of the main bail petition as well as in supplementary affidavit, his bail bond will not be accepted. The cases mentioned in paragraph no. 3 of the main bail petition and in supplementary affidavit are as follows:-

(a) Runnisaidpur P.S. Case No. 02 of 2020.

(b) Runnisaidpur P.S. Case No. 491 of 2019.

(c) Belsand P.S. Case No. 231 of 2025.

(d) Belsand P.S. Case No. 187 of 2025.

(e) Belsand P.S. Case No. 136 of 2025

(v) It is also made clear that there shall be no delay beyond a period of ten days in verifying the criminal antecedents of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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