IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62867 of 2026

CNR No. BRHC010859702026

Arising Out of PS. Case No.-24 Year-2022 Thana- MIRGANJ District- Purnia

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Bhola Kumar Son of Sita Ram Sah Resident of Village- Pir Mokam (Rahta), P.S.- Falka, District- Katihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ankit Raj, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 20-11-2026 Heard Mr. Ankit Raj, learned counsel for the petitioner and Mr. Arun Kumar Singh, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.04.2026 in connection with Mirganj P.S. Case No. 24 of 2022 for the offences punishable under Sections 302, 120B read with Section 34 of IPC.

3. That the prosecution case, in brief, is based on the self-statement of the informant, namely, Purni Devi, alleging therein that on 13.02.2022, at about 3:30 P.M., all the accused persons, namely, (1) Kundan Kumar, (2) Nirmal Kumar, (3) Nitish Kumar, (4) Pappu Kumar, (5) Rupesh Kumar, (6) Vijay Kumar, (7) Rahul Kumar and (8) Bhola Kumar (petitioner), in

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furtherance of a criminal conspiracy and in connivance with one another, took away her son, namely, Pintu Kumar, on the pretext of taking him to witness the fair organised in connection with the Kalash Yatra at Pir Mokam Rahta. However, on 14.02.2022, the informant received information that the dead body of her son was lying at Bishari Asthan, to the south of Libri Pool. Thereafter, the informant proceeded to the place of occurrence and identified the dead body as that of her son, Pintu Kumar. The informant suspected that her son had been murdered by all the aforesaid accused persons pursuant to a criminal conspiracy hatched amongst themselves. On the basis of the aforesaid allegations, the present F.I.R. came to be instituted.

4. Learned counsel for the petitioner submits that earlier petitioner was granted regular bail *vide* order dated 22.03.2023 passed in Cr. Misc. No. 47121 of 2022. Thereafter the petitioner was released after furnishing the bail bonds on 03.04.2023, thereafter, the bail bonds of the petitioner was cancelled *vide* order dated 03.11.2023 and the petitioner has been remanded on 23.04.2026. Learned counsel for the petitioner submits that as per the allegation in the FIR, petitioner was the person who was last seen with the deceased. Apart from aforesaid, nothing has come during the course of investigation

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to suggest the involvement of the petitioner in the present occurrence and earlier the petitioner was granted regular bail by this Court.

5. The learned Additional Public Prosecutor, appearing on behalf of the State, has vehemently opposed the prayer for bail made by the petitioner and submits that petitioner has antecedent of one case.

6. Considering the aforesaid facts and circumstances as well as the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Purnea in connection with Mirganj P.S. Case No. 24 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

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iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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