IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65742 of 2026

CNR No. BRHC010914622026

Arising Out of PS. Case No.-79 Year-2025 Thana- BATIYA District- Jamui

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Banti Kumar @ Banti Yadav S/OManoj Yadav R/O Vill. - Basbutiya, P.S. - Chandramandih, Distt. - Jamui(Bihar).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
Ms. Anisha Sinha, Advocate
Ms. Aditi Krishna, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

3 05-11-2026 Heard learned counsel for the petitioner, Mr. Rajesh Kumar Sinha along with Ms. Aditi Krishna and Mr. Umesh Lal Verma, learned APP on behalf of the State.

2. This is an application for grant of regular bail to the petitioner who has been made accused in connection with Batiya P.S. Case No. 79 of 2025 registered for the offences punishable under Sections 137(2) of the B.N.S and later on Section 103(1) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, the informant alleges that her husband had gone to Batiya for doing worship of Jhumraj Baba and he did not return and during a phone call at 11:25 A.M. on 11.12.2025, the husband of the informant disclosed that he was with Gopal Yadav. One Arun Kisku also spoke with Vinod

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Mandal, who confirmed the same and thereafter, the informant went to the police station.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent, has committed no offence and has falsely been implicated in this case merely on the basis of tower location of his mobile near the place of occurrence. The petitioner has not been named in the FIR. The name of the petitioner has transpired from the statement of one, Sampu Devi, who happens to be the sister of the deceased.

5. It is further submitted that the case relies entirely on weak circumstantial evidence and as far as the tower location is concerned, the place is apparently a place of worship where a large number of people are present. No incriminating article or weapon has been recovered from the conscious possession of the petitioner or from the house of the petitioner. Further, as far as the connection of the petitioner with the deceased is concerned, there is no witness who saw them together.

6.The Co-ordinate Bench of this Hon’ble Court vide order dated 08.07.2026 in Cr.Misc No. 35728 of 2026 have already granted bail to the co-accused, Gopal Yadav. The petitioner is languishing in judicial custody since 23.07.2026 and having two criminal antecedents in which he is on bail. Investigation has been completed and chargesheet has already been filed against the

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petitioner.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Jamui in connection with Batiya P.S. Case No. 79 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(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.

(Kumar Manish, J)

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