IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67774 of 2026

CNR No. BRHC010965812026

Arising Out of PS. Case No.-347 Year-2026 Thana- SULTANGANJ District- Bhagalpur

==========

Mantosh Bind @ Mantosh Kumar @ Mantosh Kumar Bind S/o Late Gurudev Bind R/o Village - Dilgouri, Bind Tola, PS - Sultanganj, District - Bhagalpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Prerna Anand, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

==========

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 04-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Sultanganj P.S. Case No. 347 of 2026 registered for the offences under Sections 103(1), 238, 61(2) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is not named in the First Information Report and is in custody since 09.07.2026.

4. As per F.I.R., one dead body of an unknown female was found by the informant, who is an ASI, near the road side aheading of Peerbaba Asthan from a bush packed in a yellow colored jute bag. The dead body was not

WEB COPY

identified till lodging of the F.I.R. and finally it was sent for post-mortem to the Jawaharlal Nehru Medical College & Hospital, Bhagalpur.

5. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is a Toto driver. It is pointed out that from the dead body, a mobile phone was recovered and out of conversation made through said mobile phone, the co-accused Ajay Chaurasiya was arrested, who named this petitioner. It is submitted that as per his confession, Ajay Chaurasiya and Arjun Yadav committed the murder of the lady with whom Ajay Chaurasiya was in affair and after committing murder and taking dead body inside the jute bag, for the purpose of its disposal, he talked with the petitioner for Toto vehicle, which was hired against Rs. 500/-.

6. It is pointed out that as per confession, even this petitioner was not aware that what was inside the jute bag and when it was thrown nearby the road, it was asked by the petitioner that what was in the bag and only after that, it was disclosed by main co-accused Ajay Chaurasiya that it

WEB COPY

was the dead body of a lady which was subsequently recovered by the informant.

7. It is submitted that in all such view of the matter, the maximum incriminating material surfaced against this petitioner to helping co-accused persons in disposing of dead body and not to commit murder in actual.

8. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case has already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

9. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

10. In view of aforesaid factual submission and by taking note of the fact as investigation *prima facie* suggest that this petitioner was involved in disposing of the dead body only rather to involve in committing murder, coupled with the fact that investigation of this case has already concluded, where petitioner, who is a man of clean antecedent, remains in custody since 09.07.2026,

WEB COPY

accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Bhagalpur/concerned court, in connection with Sultanganj P.S. Case No. 347 of 2026, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

Rajeev/-

U		T	

WEB COPY