

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72992 of 2025

Arising Out of PS. Case No.-75 Year-2024 Thana- WARISNAGAR District- Samastipur

Kaushal Sah S/o Late Bidyanath Sah @ Baidyanath Sah R/o Village - Goh,
P.S - Warisnagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan, Advocate

For the Opposite Party/s : Mr. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-03-2026 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 07.05.2025 in connection with Warisnagar P.S. Case No. 75 of 2024 for the offences punishable under Sections 302 and 201 of IPC.

3. The prosecution story, in brief, is that on 11.03.2024, the informant was cutting tori in her field. Her daughter Chandni Kumari alias Kajal Kumari, aged about 15 years, came there at about 4 PM and said that she wanted to go to her friend's wedding. The informant said that firstly pull out the peg of the tori and then go. After the said direction, she went to market for bringing vegetables. When she returned from the market with vegetables, she did not found her daughter at home.



During the search, her body was found behind the petrol pump in the morning at about 4:00 AM. Then she gave a written complaint before the police personal and the FIR was lodged on 13.03.2024.

4. Learned counsel for the petitioner submits that wife of the petitioner is informant in the present case and she lodged the complaint on 12.03.2024 which was registered against on unknown person on 13.03.2024. Learned counsel for the petitioner submits that during investigation, the petitioner has been apprehended and he has been put to trial in Sessions Trial No. 240 of 2025. Learned counsel for the petitioner further submits that the date of occurrence as alleged in the FIR is 13.03.2024 but thereafter in spite of arresting the original culprit, the police arrested the petitioner on 07.05.2025 i.e., nearly one year after lodging of this case on the basis of suspicion.

5. The learned Additional Public Prosecutor, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that during investigation, the informant, who is happened to be the wife of the petitioner namely, Munchun Devi, has also been arrested and however, the prayer for regular bail was rejected vide order dated 21.11.2025 passed



in Cr. Misc No. 53935 of 2025 by a Coordinate Bench of this Hon'ble Court.

6. *Vide* order dated 18.02.2026, report was called for with regard to the stage of the trial. The report of learned trial court dated 26.02.2026 reveals that out of fifteen charge-sheet prosecution witnesses, ten prosecution witnesses have been examined and case is pending for the examination of the rest five prosecution witnesses.

7. Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with S. Tr. No. 240 of 2025 arising out of Warisnagar P.S. Case No. 75 of 2024 pending in the court of learned Additional District & Sessions Judge II, Samastipur.

8. Prayer is refused.

9. However, the learned trial court is directed to expedite and conclude the trial.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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