

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75300 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- CHHATAPUR District- Supaul

Pramod Sah @ Pramod Gupta S/o Late Domi Sah Resident of Village-
Chhatapur, Ward No 04, PS- Chhatapur, District- Supaul State Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhiresh Kumar Dhiraj, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109(1), 352, 351(2), 3(5) of the B.N.S. later on Section 103(1) of the B.N.S. has been added.

3. As per the prosecution case, the petitioner along with other co-accused persons is said to have assaulted the father of the informant causing his death.

4. The learned counsel for the petitioner submits that no doubt in the First Information Report there is allegation on the petitioner that he along with Ranjit Kumar assaulted the deceased with spade causing his death, but as a matter of fact, the First Information Report is not based on an eye-witness



account but is rather based on suspicion. It is further submitted that after the petitioner was taken into custody on the same day of the lodging of the First Information Report, the restatement of the victim was recorded which indicates a different story and the main allegation is upon one Dhirendra Kumar Gupta that during a fit of anger and rage on account of some verbal squabble, assaulted the deceased from back side of the spade causing injury to him. This restatement of the informant has been recorded in paragraph-10 of the case diary and the same has been reiterated by the brother of the deceased whose statement has been recorded in paragraph-11 of the case diary. Further petitioner is in custody since 04.05.2025 and charges have already been framed.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the material that has transpired during the course of investigation, coupled with the fact that charges have already been framed in this case and there is no likelihood of conclusion of trial in near future, let the above named petitioner, be released on bail on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties
of the like amount each to the satisfaction of the learned
Judicial Magistrate-First Class, Supaul/concerned Court below
in connection with Chhatapur P.S. Case No. 139 of 2025.

(Soni Shrivastava, J)

anand/-

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