

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73332 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- RATWARA District- Madhepura

Dablu Kumar S/o- Fuleshwar Sah @ Phuleshwar Sah R/v- Gangapur W.No-2,
Kolwara Tola Ps- Alam Nagar Ratwara Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 11-02-2026 Heard Mr. Avanish Kumar Singh, the learned
counsel for the petitioner and Mrs. Rina Sinha, the learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103 (1), 238 and 61 (2) of
B.N.S.

3. As per the prosecution case, informant's brother
was murdered by some unknown persons.

4. Learned counsel for the petitioner submits that the
First Information Report was lodged on 24.06.2025 for an
incident which took place on 22.06.2025 and no plausible
explanation has been tendered in delayed lodging of the First
Information Report. It is further submitted that the dead body of
the deceased, as per the First Information Report, was recovered



from the bushes near the house of one Ramchandra Thakur and during the course of investigation upon the statement of a spy that this petitioner and co-accused Mithilesh Kumar were seen near the place of occurrence, they were taken into custody and the said Mithilesh Kumar in his confessional statement has only mentioned the presence of the petitioner without attributing any role to him. It is further submitted that there is no eye witness to the incident nor any weapon of offence has been recovered. So far as the petitioner is concerned, the only material transpiring against him is the vague disclosure of the spy and the confessional statement of the co-accused which has no evidentiary values in the eyes of law.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that no substantial evidence has been collected against the petitioner during the course of the investigation, there are no eye witnesses, coupled with the fact that petitioner is in custody since 25.06.2025 and charge sheet has already been submitted, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Court below where the case is pending/successor Court in connection with Ratwara P.S. Case No. 29 of 2025, subject to the conditions that :

(i) One of the bailors will be his close relative/family members.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

vashudha/-

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