IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74734 of 2026

CNR No. BRHC011065562026

Arising Out of PS. Case No.-101 Year-2026 Thana- RAUTARA District- Katihar

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Md. Mahtab @ Pintu S/o Sheikh Jamir @ Sheikh Jamil R/o Village -Rautara, P.S - Rautara, District - Katihar

... ... Petitioner/s

Versus

1. The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 108, 61(2), 3(5) of BNS.

3. The case of the prosecution is that the brother of the informant has committed suicide further case of the prosecution is that wife of the deceased was having illicit relations with the petitioner. He has taken to her to Gujarat where he has established physical relationship with her and the deceased has disclosed all this to the villagers. It is alleged that petitioner has taken cash and jewellery from the wife of the deceased.

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4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that only allegation against the petitioner is that he was having illicit relationship with the wife of the deceased. There is no any material to show that the petitioner has abetted him to commit the suicide and there was no any immediate reason for the commission of the offence. As per the FIR, the petitioner has took the wife of the deceased to Gujarat on 27.03.2026. There is no chronology of the occurrences in the FIR and the immediate cause for the suicide is not clear. It has further been submitted that as far as allegation of taking cash and jewellery from the wife of the deceased is concerned, the same is denied by the petitioner. Moreover, a statement has been made in para-3 of the petition that the petitioner is having no criminal antecedent. He is languishing in judicial custody since 20.05.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named

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petitioner is directed to be released on bail in connection with Rautara P.S. Case No. 101 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Katihar.

(Ashok Kumar Pandey, J)

Sneha/-
Shubham/-

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