IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74606 of 2026

CNR No. BRHC011090582026

Arising Out of PS. Case No.-288 Year-2026 Thana- HARSIDHI District- East Champaran

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Santosh Kumar @ Jitendra Kumar @ Jitendra Sah Son of Late Birbahadur Sah Resident of village- Dudahi Bharwaliya, Ps- Harsiddhi, Dist- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in connection with Harsiddhi P.S. Case No.288 of 2026 registered for the offence punishable under Sections 103(1), 238(a), 61(2) & 3(5) of the BNS.

3. The case of the prosecution, in short, is that the brother of the informant was killed by unknown miscreants. The informant suspects that petitioner along with one Prakash Kumar might have killed the deceased due to some financial dispute.

4. Learned counsel appearing on behalf of the

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petitioner has submitted that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It has been submitted that from perusal of the FIR it is clear that the name of this petitioner has surfaced in this case only on the basis of suspicion. Learned counsel for the petitioner has submitted that during entire investigation, no person has come to say that he is the eye-witness or that he has seen the occurrence. The statement which has been recorded by the police during investigation only goes to show that the witnesses who have given their confessional statement, they also had suspicion and they also came to know that the dead body of the deceased was lying in fields. There was no financial relation between the petitioner and the deceased. Save and except suspicion, there is nothing against the petitioner. It has lastly been submitted that the petitioner is languishing in judicial custody since 27.05.2026 having no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned JMFC, East Champaran at Motihari in connection with Harsiddhi P.S. Case No.288 of 2026.

(Ashok Kumar Pandey, J)

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