IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76781 of 2026

CNR No. BRHC011092012026

Arising Out of PS. Case No.-84 Year-2024 Thana- SUPAUL District- Supaul

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Bauhari Sada @ Bahuri Sada @ Rahul Kumar @ Bahuri Sapa S/o Suresh Sada Resident of village - Mela Road, Ward No. 03, Nagar Parishad, Supaul, Police Station - Supaul, District - Supaul

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Arun, Advocate
For the State : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned Counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with S.T. No. 441 of 2025 arising out of Supaul P.S. Case No. 84 of 2024, lodged on 02/02/2024, for the offences punishable under Section 302 of the IPC.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner with allegation that in the evening of an unfortunate day the husband of the informant was sitting in the *varanda* of his house and in the meantime the petitioner came near her husband and started abusing and thereafter, scuffling took place between the

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husband of the informant and the petitioner and in the scuffling the husband of the informant was thrown on the ground by the petitioner due to which he sustained head injury but she did not take her husband to hospital for treatment and at night about 2 AM her husband died.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that from the contents of the FIR, it becomes crystal clear that both the informant and the accused persons are well-known to each other and they are neighbour and only due to this reason they were together sitting on the *varanda* of the informant. Counsel further submits that hot discussion took place between the friends which has been alleged in the FIR but actual fact is otherwise. Counsel further submits that the husband of the informant was ill and at night due to his illness he died but subsequently, name of the petitioner has been inserted in this case. Counsel further submits that charge has already been framed on 06/01/2026 as mentioned in the rejection order dated 09/03/2026. Counsel also submits that the criminal antecedent of the petitioner is clean and he is in custody since 12/08/2025.

5. Learned APP for the State, on the other hand,

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opposes the prayer for bail of the petitioner but fairly submits that from the record, it transpires that charge has already been framed.

6. As such, in the present facts and circumstances, let the above named petitioner be granted bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S**,** 2023 to the satisfaction of District and Additional Sessions Judge-VIII, Supaul, in connection with in S.T. No. 441 of 2025 arising out of Supaul P.S. Case No. 84 of 2024, subject to the conditions as laid down U/s 480(3) of the B.N.S.S**,** 2023 with other following conditions:-

i) One of the bailors should be the family member of the petitioner who shall provide official document to show his *bona fide*.

ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

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