IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75201 of 2026

CNR No. BRHC011095952026

Arising Out of PS. Case No.-179 Year-2026 Thana- TARAIYA District- Saran

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Golu Pandit Son of Hare Pandit R/O Village- Dumri, P.S.- Taraiya, District- Saran at Chapra

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the State : Mr. Satyendra Narayan Singh, APP
For the Informant : Mr. Sudama Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 04-11-2026 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Taraiya P.S. Case No.179 of 2026 registered for the offences punishable under Sections 126(2), 118(1), 109(1), 103(1) & 3(5) of the BNS.

3. During the Tilak ceremony, an altercation allegedly took place between the accused persons and the informant's side. In the course of the said altercation, co-accused Rohit Sah is stated to have directed co-accused Munmun Saha and the petitioner to catch hold of Birbal Prasad, whereupon Rohit Sah inflicted a knife blow on the left temple of Birbal Prasad,

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causing him serious injuries, which subsequently proved fatal.

4. Learned Advocate for the petitioner, taking this Court through the FIR, contended that a bare perusal thereof would reveal that, although co-accused Rohit Sah had allegedly directed the petitioner and co-accused Munmun Saha to catch hold of Birbal Prasad, it was only Munmun Saha who actually caught hold of the deceased. It is submitted that there is no specific allegation, nor is there any material to suggest that the petitioner had, in any manner, actively participated in the commission of the alleged offence, save and except the allegation in the earlier part of the FIR that the petitioner had also indulged in abusing the members of the informant's side. The specific allegation of inflicting the knife blow has been attributed to co-accused Rohit Sah, who is not before this Court. It is lastly submitted that the petitioner is carrying fair antecedent and undertakes to fully cooperate in the proceedings of the Court.

5. On the other hand, learned Advocate for the State vehemently opposes the prayer for bail and submitted that the petitioner had also actively participated in the commission of the alleged offence, which ultimately resulted in the loss of one human life.

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6. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the nature of accusation, coupled with the fact that the specific allegation of causing knife blow is attributed against Rohit Sah, who is not before this court, and the fact that the petitioner is carrying fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Saran at Chapra in connection with Taraiya P.S. Case No.179 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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