

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79058 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- MANJHAGARH District- Gopalganj

Jishan Ali, Male, aged about 22 years, Son of Firoj Alam, Resident of Village-
Hajiyapur Ward No- 26 P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate

For the Opposite Party/s : Ms. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Manjhagarh P.S. Case No. 139 of 2025 instituted for the
offences punishable under Sections 103(1) and 3(5) of the BNS.

3. As per allegation in the FIR, the co-accused
namely, Sunil Kumar and two unknown persons murdered the
brother of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case only on the basis of
suspicion. He submits that there is no any recovery from the
conscious possession of the petitioner. He further submits that
the motive alleged in the FIR is purely with co-accused Sunil
Kumar relating to the land dispute and the petitioner has no



concerned with the same. He next submits that there is no specific allegation against the petitioner of assaulting the deceased. Petitioner is in custody since 19.06.2025.

5. Learned APP for the Statte opposes the prayer for bail of the petitioner.

6. From perusal of the FIR, case diary and impugned order of the learned Principal Sessions Judge, Gopalganj dated 11.09.2025, it appears that petitioner is not named in the FIR and his name transpired in this case during course of investigation. From perusal of the records, it also appears that on the basis of fardbeyan, FIR has been registered under Sections 103(1) and 3(5) of the BNS against co-accused Sunil Kumar and two unknown persons. During course of investigation, on the basis of other co-accused persons named the petitioner. It also appears that in the FIR and the statement of witnesses in paragraph nos. 4 and 5 of the case diary, dying declaration of the deceased as stated that the knife blow stabbed by one Sunil Kumar. From perusal of paragraph no. 50 of the case diary, it also appears that due to examination of CCTV footage near the place of occurrence, six accused persons with Sunil Kumar identified but not stated the name of the present petitioner. There is no any recovery from the conscious



possession of the petitioner and he is in custody since 19.06.2025, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 139 of 2025.

(Ramesh Chand Malviya, J)

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