IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77076 of 2026

CNR No. BRHC011125262026

Arising Out of PS. Case No.-145 Year-2026 Thana- BOKHRA District- Sitamarhi

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Ashish Kumar S/O Dhanvir Das R/O Village-Singachauri, Ward No. 13, P.S.- Bokhra, Distt.- Sitamarhi.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Anil Kumar, APP
Mr. Vibhuti Kumar, Adv.
Mrs. Sweta Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

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

2. This is an application for regular bail to the petitioner who has been made accused in connection with Bokhra P.S. Case No. 145 of 2026 registered for the offences punishable under Sections 103(1), 61, 238 of the BNS.

3. As per the prosecution case, informant alleges that duet to enmity and money dispute the named accused persons threatened his brother Satish Kumar, forcefully took him away on the pretext of a wedding anniversary party and subsequently beat him to death, throwing his body near Singachauri Tower. Before dying at the hospital, the victim manage to name two

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individuals though the petitioner was not named in the FIR or in the dying statement.

4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case. Petitioner is not named in the FIR, his name has surfaced later merely on the basis of confessional statements of co-accused, namely, Vijay Kumar and Aman Kumar which have no evidentiary value. It is submitted that the petitioner has nothing to do with the alleged offence and there is no specific allegation against the petitioner in the FIR.

5. It is submitted that, before death, the deceased upon being questioned by the informant revealed the names of the assailants but the petitioner was not named in the dying statement of the deceased. It is also submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and the petitioner has no direct involvement in the alleged offence. It is submitted that no Test Identification Parade has been conducted and the informant is not the eye witness to the alleged offence.

6. Learned counsel for the petitioner submits that investigation has been completed and charge-sheet has been

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filed against the petitioner. Petitioner has clean antecedent and is languishing in judicial custody since 06.06.2026. The co-accused, namely, Aman Kumar has been granted bail by this Hon'ble Court vide order dated 01.10.2026 passed in Cr. Misc. No. 61706 of 2026.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner, period of custody as also taking into consideration the fact that the co-accused has been granted bail by this Hon'ble Court, 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 learned Sub-Divisional Judicial Magistrate, Purpri, Sitarmarhi/concerned court in connection with Bokhra P.S. Case No. 145 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be

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physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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