

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80349 of 2025

Arising Out of PS. Case No.-369 Year-2024 Thana- PATNA CITY CHOWK District- Patna

Santosh Kumar S/o- Kashok Ram @ Ashok Ram R/v- Lohara Ps- Harnaut
Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-01-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. The petitioner seeks bail in connection with Chowk P.S. Case No. 369 of 2024 registered for the offence under Sections 140(3) of the Bharatiya Nyaya Sanhita, 2023. Later on Section 103(i), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Earlier the bail application of the petitioner was rejected on 02.05.2025 in Cr. Misc. No. 25086 of 2025 which reads as follows:-

Heard the learned counsel for
the petitioner and learned APP for the State;
Sri Shyam Kumar Singh.

2. The petitioner, who is in custody
since 06.08.2024, seeks regular bail in
connection with Chowk P.S. Case No. 369 of



2024 registered for the offence under Sections 103(i), 61(2), 238 & 3(5) of the Indian Penal Code.

3. The deceased was killed by unknown criminals and his dead body was found in a field. During the investigation, the police found one *Kanhaiya Poddar* co-accused travelling with the deceased in a *toto* vehicle and subsequently, during the investigation, it has come that *Kanhaiya Poddar* was driving the *toto* belonging to the deceased which he had taken on rent. Subsequently there was a dispute between them and *Kanhaiya Poddar* decided to eliminate the deceased. Thereafter he conspired with the present petitioner who is the brother-in-law of co-accused *Kanhaiya Poddar*. Co-accused *Kanhaiya Poddar* took the deceased along with him to get a passenger. The petitioner came to the spot on a motorcycle where the crime was committed thereafter, the deceased was strangled and stabbed by the co-accused *Kanhaiya Poddar* and the petitioner.

4. Apart from the self-inculpatory statement of the co-accused *Kanhaiya Poddar*, the petitioner has also given a confessional statement. The presence of the petitioner at the place of occurrence has come up in the analysis of the CDR. The petitioner was in constant touch with co-accused *Kanhaiya Poddar* on the date on which the crime was committed and around the time when the crime was committed.

5. Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner.

6. Accordingly, this application for regular bail is hereby rejected.



4. The trial has started and the charges have been framed. This Court finds no ground to review its earlier order. Accordingly, this application for regular bail is hereby rejected.

(Sandeep Kumar, J)

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