

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82946 of 2025

Arising Out of PS. Case No.-61 Year-2025 Thana- Patarghat District- Saharsa

Antosh Kumar @ Mantosh Kumar S/o Dukhi Yadav R/o vill - Amrita Ward
No. 5, P.S. - Sonbarsa Raj, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amarnath Jha, Advocate
For the State	:	Mr.Pawan Kumar Chaurasia, APP
For the Informant	:	Mr. Satish Kumar Singh, Advocate
		Mr. Dinesh Maharaj, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 11-02-2026 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel appearing on behalf

of the informant.

02. In the present case, the petitioner seeks bail in
connection with Patarghat P.S. Case No. 61 of 2025 registered
for the alleged offences under Sections 103(1), 238, 3(5) of
B.N.S.

03. As per prosecution case, dead body of the brother
of the informant was recovered and during investigation the
name of the petitioner transpired for being involved in the
murder of the brother of the informant.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. There is no eye witness to the alleged occurrence and petitioner has no hand in the occurrence at all. There is no allegation against the petitioner that he murdered the brother of the informant and only allegation which came up during investigation is that he along with co-accused tried to conceal the dead body. But even for this allegation there is no material available on record. The petitioner has antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 10.07.2025 and charge sheet has been submitted.

05. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the call data of the mobile phone was taken up and it came to the notice that the daughter of the deceased murdered him with the help of this petitioner who actively helped in concealing the dead body. Learned counsel further submits that the petitioner talked with co-accused daughter of the deceased for 55 times and this fact itself show the involvement of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



vague and doubtful nature of allegation against the petitioner and lack of substantive material against him and also considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to 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 Chief Judicial Magistrate, Saharsa/concerned Court in connection with Patarghat P.S. Case No. 61 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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