

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83217 of 2025

Arising Out of PS. Case No.-583 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

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Rahul Kumar Singh @ Rahul Kumar Son of Vijai Kumar Singh @ Vijay Singh @ Vijay Kumar Singh Resident of Village - Udwantnagar, P.S.- Udwantnagar, District - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-03-2026 Heard Mr. Bhaskar Shankar, learned counsel for the petitioner, Mr. Ranjeet Kumar, learned counsel for the informant and Mr. Pramod Kumar Pandey, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.09.2025 in connection with Udwantnagar P.S. Case No. 583 of 2024 for the offences punishable under Sections 103(1), 61(2) of BNS.

3. The prosecution story, in brief, is that one Sandhya Devi of the village-Udwantnagar submitted a written application on 29.12.2024 at 8.00 P.M. alleging therein that her husband was killed by the petitioner and co-accused persons, it is further alleged that the petitioner and co-accused persons are engaged in business of intoxicant and also in purchase and sell of land, the accused persons had got registered 36-35 Katha land from her husband after giving him intoxicated articles and did not pay actual price, it was further alleged that on 27.12.2024 at 7 PM



the accused persons called her husband and took him away and after committing murder of the husband threw away his body at her Darwaja, co-accused Sadhu Kumar Singh and petitioner had threatened that they had killed her husband and if she gave information to police they would kill her children and others.

4. Learned counsel for the petitioner submits that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner submits that the petitioner has been made an accused in this case on the ground of suspicion and even it appears from the FIR that no one has seen the occurrence in question and the petitioner has been an accused on the ground that petitioner was last seen with the deceased. Learned counsel for the petitioner referred in paragraph nos. 21 and 22 of the case diary which suggests that the petitioner was not lastly seen with the deceased. Apart from that learned counsel for the petitioner further submits that date of occurrence as alleged in the FIR is 27.12.2024 and the FIR came to be instituted on 29.12.2024 i.e., after a delay of two days. It is next submitted that before lodging of the FIR, the postmortem was conducted on 28.12.2024 at 04:50 PM which suggests that after knowing the cause of death the present FIR has been instituted



for falsely implicating the petitioner and the accused persons. It is next submitted that the police after investigation has submitted charge-sheet and is custody since 23.09.2025.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that it has come during the course of investigation that the petitioner was involved in the occurrence in question. Apart from that the petitioner has antecedent of one case other than the present case but fairly submit that petitioner is on bail in the matter.

6. Considering the aforesaid facts and circumstances and that petitioner has clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 583 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be canceled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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