

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83704 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- MOTIPUR District- Muzaffarpur

Dinesh Sah S/o- Baiju Sah R/v- Malikana Bagahi Ps- Motipur Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Adv.
For the State : Mr.Zainul Abedin, APP
For the Informant : Ms. Preety Kunwar, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 11-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 871 of 2025 arising out of Motipur P.S. Case No. 55 of 2024, registered for the offences under Sections 302, 201 of the IPC.

3. As per the prosecution case, dead body of the son of the informant was found near a railway track. The name of the petitioner transpired during investigation for being involved in the murder of the son of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the



FIR and nothing incriminating has been recovered from his person or possession. In course of investigation, the brother of the deceased stated that in the night of 26.02.2024 some unknown persons took away the deceased in a vehicle and the brother of the deceased raised suspicion that his brother was killed due to lover affair. Learned counsel for the petitioner submits that suddenly the father of the deceased came up with a story that petitioner and other coaccused persons under a conspiracy killed the son and put the dead body on railway track and thus the dead body was cut into two pieces by the running train. Further allegation was made that there was love affair between the deceased and the daughter of the informant. Learned counsel further submits that except for suspicion there is no material against the petitioner. The petitioner is in custody since 30.05.2025 and charge sheet has been submitted. The petitioner has no criminal antecedent.

5. Learned APP appearing for the State and learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the witnesses have stated about love affair between the daughter of the petitioner and son of the informant. A call detail report of the mobile phone of the



petitioner and other coaccused persons show their tower location near the place of occurrence and they were in continuous contact.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the vague and remote nature of allegation against the petitioner and also considering the submission of charge sheet against him and his period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XVI, Muzaffarpur/concerned court, in connection with Sessions Trial No. 871 of 2025 arising out of Motipur P.S. Case No. 55 of 2024, subject to the condition laid down under Section 480(3) of the BNSS and other 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, if so required by the learned trial court.

(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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