

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83918 of 2025

Arising Out of PS. Case No.-215 Year-2025 Thana- KOPA District- Saran

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Hemant Kushwaha S/o- Prem Shankar @ Prem Shankar Kushwaha Village-
Khurwashiya, Uttar Tola, PS- Srirampur, District- Deoria, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vyas Kumar Mishra, Adv.
		Mr.Ajay Kumar Tiwary, Adv.
For the State	:	Mr.Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 20-02-2026 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Kopa P.S. Case No. 215 of 2025, registered
for the offences punishable under Sections 103(1), 61(2) of
BNS.

3. On 16.08.2025, a dead body was found by the
police and the case of unnatural death was registered.

4. The learned counsel for the petitioner has
submitted that the petitioner is innocent and has falsely been
implicated. After one month of recovery of the dead body, the
brother of the deceased made an application before the
investigating authorities stating that the petitioner, along with



two other accused persons and 2-3 unknown individuals, had taken his brother from the house, saying that they would make him appear in a case, but his brother did not return. It has further been submitted that there is no explanation as to why the brother of the deceased did not lodge complaint when the accused persons took his brother one month prior to submitting his application. It has also been submitted that the deceased was involved in a murder case.

5. On the other hand, the learned APP for the State has opposed the prayer for bail by submitting that the petitioner is named in the statement of brother of the deceased.

6. There is no explanation of delay of one month of making application by brother of the deceased when the deceased was taken away one month prior to making of that application. Last seen theory also becomes suspicious. The petitioner is under custody since 17.09.2025 and he is not involved in any other case of similar nature.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-1st Class, Saran, Chapra in connection with



Kopa P.S. Case No. 215 of 2025, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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