

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87695 of 2025

Arising Out of PS. Case No.-225 Year-2025 Thana- BARHARA KOTHI District- Purnia

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Ajay Kumar S/o Domi Mukhiya R/o Village - Haldibari Ward no. 1, P.S -
Barhara Kothi, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Barhara Kothi P.S. Case no.225 of 2025 registered under sections 103(1), 238(b) and 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution case, the informant states that a mobile phone of Md. Sarfaraz having been found with the informant's son, Md. Sarfaraz had threatened to kill him. On the date of occurrence, on the informant's son not returning home, a search started. On Inquiry from Md. Sarfaraz he disclosed the names of the other six accused persons who had committed the murder and hidden the dead body of the informant's son. The dead body was recovered, as disclosed by Md. Sarfaraz.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the FIR. He was falsely implicated in the case in course of investigation. There is no eyewitness to the alleged occurrence. The petitioner is in custody since 17.10.2025 and charge sheet has been submitted in the case. He has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that even before the statement of co-accused Md. Sarfaraz, the informant in paragraph no.4 of the case diary itself has taken the name of the petitioner of him being present along with the other accused persons. It is further submitted that the postmortem report shows multiple injury on the body of the deceased.

6. Having heard learned at counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired against the petitioner in course of investigation, there being no eyewitness to the alleged occurrence, the petitioner having remained in custody for 4 months since 17.10.2025 and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Barhara Kothi P.S. Case no. 225 of 2025 on furnishing bail bond of Rs.10,000/ (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea.

(Partha Sarthy, J)

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