

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87704 of 2025

Arising Out of PS. Case No.-239 Year-2025 Thana- GOVINDGANJ District- East
Champaran

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Sudhanshu Kumar Son of Vijay Sah R/o Guraha, P.S.- Govindganj, District -
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 20-02-2026 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for
grant of regular bail in connection with Govindganj P.S. Case
no.239 of 2025 registered under sections 103(1), 238(a) and
3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. As per the prosecution case, the informant states
that the brother of the informant who used to live with his
brother-in-law disappeared and two days later his dead body
was found hanging from a tree which the informant identified.
The informant further states that the family of Jhabar Mukhiya
was on inimical terms and had threatened his brother ie the
deceased for the reason that he was on talking terms with Jhabar



Mukhiya's daughter.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case along with three others. The three co-accused happen to be the brothers of the deceased. So far as the petitioner is concerned, the cause of false implication is only that he was on friendly terms with the family of Jhabar Mukhiya. There is no eye witness to the occurrence nor any direct or indirect material to connect with the alleged crime. The petitioner is in custody since 28.9.2025, has no criminal antecedent and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but there is direct allegation against the accused persons of having murdered his brother. It is further stated that sufficient material has transpired in course of investigation to connect the petitioner with the murder of the informant's brother.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, there being no eye



witness to the occurrence, the petitioner not being related to Jhabar Mukhiya, his being in custody for more than 4 months since 28.9.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Govindganj P.S. Case no.239 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 Additional Chief Judicial Magistrate I, East Champaran, Motihari.

(Partha Sarthy, J)

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