

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90790 of 2025

Arising Out of PS. Case No.-312 Year-2025 Thana- GAURICHAK District- Patna

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Bablu Kumar @ Bablu Yadav S/O Ashok Rai @ Ashok Roy R/O Village-
Jamalpur, P.S- Gaurichak, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Shankar Sinha, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaurichak P.S. Case No. 312 of 2025 dated 27.05.2025 registered for the offences punishable under Section 329(3), 352, 103(1), 238 and 3(5) of B.N.S.

3. As per the prosecution case, the deceased, husband of the informant, namely, Chhotu Mahto, was tractor driver of one Rajan Singh and also used to help in harvest wheat crops by thresher, there was dues lying to the deceased since last one year as regards his remunerations, the said amount was not paid. It is alleged that on 24.05.2025 at about 05:00 PM, this petitioner came at her house and asked her husband to accompany him to go to the home of Rajan Singh and also promise that he would



facilitate the payment of his arrears. Mobile of the informant's husband was switched off, when the informant contacted the wife of Rajan Singh on mobile then she abused and switched off her mobile phone. It is further alleged that on 25.05.2025 at about 12:10 PM, this petitioner was pretending to go in the maize field of Ashok Rai and then telephoned that someone has thrown Chhotu Mahto in the field after killing, upon which she along with her family members and villagers went there and found that the dead body of her husband lying there. Moreover, on 23.05.2025, this petitioner has fired gunshots in the air near her house which was seen and heard by villagers.

4. Learned counsel for the petitioner submits that the allegation appears to be false from the facts emerging from the FIR itself had there been a firing made on 23.05.2025 by the petitioner to terrorize and subsequently the deceased went with this petitioner on 24.05.2025 and the factum of recovery of dead body having been informed by the petitioner on 25.05.2025 there was no occasion to file the case belatedly after two days. Moreover, there is no eye-witness to the alleged occurrence of murder and except the confessional statement as recorded in paragraph 106 of the case diary, there is no material against the petitioner. It has further been submitted that had there been a



previous dispute and motive with the petitioner, the informant would not have let go the deceased along with this petitioner. The petitioner is in custody since 12.09.2025 and has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail and submitted that this petitioner has taken the deceased along with him and subsequently he was last seen with the deceased, thereafter his dead body was recovered and there are strong suspicion against the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also the fact that except confessional statement of this petitioner, there is nothing against him, considering the period of custody and having no criminal antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City, in connection with Gaurichak P.S. Case No. 312 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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