

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90098 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- BHUTAH I District- Sitamarhi

Rohit Soni @ Rohit Kumar S/o Vijay Sah @ Vijay, R/o Village - Bari
Singhwahini, P.S - Bhutahi, District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Ms. Madhubala Verma, Advocate
For the State	:	Mr. Anant Kumar, APP
For the Informant	:	Mr. Uday Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bhutahi P.S. Case No. 50 of 2025 dated 17.06.2025, registered for the offences punishable under Sections 103(1) and 238 read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the dead body of the son of the informant was found in a village pond and the informant named the petitioner and two other co-accused persons for being involved in causing death of his son.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. There is no eyewitness to



the alleged occurrence. The police forcibly took signature of the petitioner on a blank paper and used it as his confessional statement inculcating the petitioner, but the said statement has no legal sanctity. Though, there is allegation in the FIR that cord of pant was used to strangle the son of the informant, but no such pant or trouser was recovered. The *post-mortem* report does not show death due to strangulation, though asphyxia has been said to be the cause of death. Learned counsel further submits that it has come in the *post-mortem* itself that the son of the informant, petitioner and other co-accused persons consumed liquor and in that inebriated condition, the son of the informant got drowned. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 18.06.2025.

5. Learned A.P.P. appearing on behalf of the State as well as learned counsel for the informant oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that son of the informant was strangled by this petitioner with cord of his pant and he admitted this fact in *panchayat*.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



material available on record about complicity of the petitioner and also considering his period of custody, clean antecedent and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi / concerned Court, in connection with **Bhutahi P.S. Case No. 50 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. 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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