

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92052 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- SAHARGHAT District- Madhubani

Ajit Kumar S/o Raj Narayan Thakur @ Booke Thakur @ Banke Thakur
(Wrongly mention age of the petitioner in Impugned Order) R/o Village -
Baingra, P.S - Saharghat, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Udeshya Kumar Yadav, Adv.
For the Opposite Party/s :		Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-01-2026 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Saharghat P.S. Case No. 78 of 2025, registered for the offences punishable under Sections 103(1), 3(5) of the BNS.

3. Allegedly, on the fateful day, while the deceased son of the informant was walking on a road, in the meanwhile, co-accused Chandan Kumra came there with a tractor and started making quarrel with him; whereupon co-accused Chandan Kumar by making a telephonic call, called his father and family members. It is further alleged that soon thereafter the father and the petitioner, who happens to be uncle of co-accused



Chandan Kumar, came there and they also indulged in quarrel, in the meanwhile, on the exhortation made by co-accused Naresh Thakur, Chandan Kumar ran over the tractor over the son of the informant and fled away. Later on, the informant's son succumbed to the injuries.

4. Learned Advocate for the petitioner taking this Court through the FIR contended that the specific accusation of exhortation has been made against Naresh Thakur, whereupon it is Chandan Kumar, who had ran over the tractor over the son of the informant due to which he died. There is no whisper that this petitioner has anyhow participated in the crime, save and except he was present there. It is further contended that be that as it may, the petitioner bears no criminal antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the tractor in question which was used in the crime is owned by the petitioner and, as such, his complicity cannot be denied, as he was also present at the place of occurrence.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note



of the specific accusation against co-accused Naresh Thakur and Chandan Kumar, who have actively participated in the crime, besides the fair antecedent of the petitioner and no role has been assigned in the FIR, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Benipatti, Madhubani/ concerned court in connection with Saharghat P.S. Case No. 78 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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