



COURT OF DISTRICT & SESSIONS JUDGE, BHOJPUR, ARA
Bail Petition No. 2080/2026
(Arising out of Charpokhri P.S. Case No. 16 of 2026)

Subhash Kumar Singh & Anr.

Petitioners

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
23.06.2026	1. Bail petition filed on behalf of accused persons/petitioners, namely; 1. Subhash Kumar Singh and 2. Appu Kumar, who are in judicial custody since 21.02.2026 in connection with Charpokhri F.I.R Case No. 16/2026 under Sections 103(1), 3(5) of B.N.S. and 27 Arms Act., put up for hearing. 2. Heard Shri Bharat Singh Yadav, learned counsel for petitioners and Shri, Ajay Kumar Dubey learned counsel for informant as well as Shri Rana Pratap Singh, the learned P.P. for the State. 3. On the written complaint of the Krishnmurari Singh, who is brother of deceased. This F.I.R. was initially lodged against unknown persons. It is case of the prosecution that on the alleged day of occurrence on 29.01.2026 deceased Ajay Kumar went to market to buy vegetable after sometime his mobile was found switched off	



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Contd. 23.06.2026	and later on his dead body was recovered on 30.01.2026 and inquest report was prepared at 11:00 A.M. In the course of investigation when call details of the mobile no. (9507495465) of deceased was examined by Investigating Officer then on the basis of call details report, it was found that one mobile no. having 9650523016 was in regular touch with deceased on the alleged day of occurrence and four call took place between them on an around from 5:17 P.M. to 7:00 P.M.. 4. Learned counsel for petitioners submitted that earlier B.P. No. 1171/2026 was filed which was withdrawn on 24.04.206 and no bail petition of any nature has been filed or is pending on behalf of the petitioners either in this Session Division or before the Hon'ble High Court. Petitioners are not named in F.I.R. Petitioner no. 2 is son of petitioner no. 1, there is nothing on record to connect accused persons with alleged offence and due to old enmity petitioners have been falsely implicated in this case. In addition to that, petitioners are in judicial custody since 21.02.2026 and they undertake to comply with any conditions imposed by this Court and not to influence	
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Contd. 23.06.2026	witnesses either directly or indirectly in any manner, hence, bail petition of petitioners may be allowed. 5. On the contrary, Ld. P.P. along with learned counsel for informant vehemently opposed the bail petition of the petitioners and submitted that considering gravity of offence and manner in which offence was committed in pre-planned manner, hence, bail petition of petitioners are devoid of merit and same should be dismissed. 6. I have heard the rival submissions of both the parties and perused the case record. It appears from perusal of record that on the alleged day of occurrence four call took place between them. Since, Subhash Kumar Singh was last person who was in contact with deceased, hence, Subhash Kumar Singh was arrested and his confessional statement was recorded, in his disclosure statement accused Subhash Kumar Singh confessed the alleged offence and stated that along with son Appu Kumar and one friend Arjun Kumar conspired to murder of deceased and weapon of offence was also recovered. In the course of investigation post-mortem report was collected, after completion of investigation charge-sheet	
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Contd. 23.06.2026	has been filed. 7. As far as petitioner no. 1 Subhash Kumar Singh is concerned, he was last person who was contact with deceased Ajay Kumar and on his disclosure weapon of offence was also recovered, hence a prima facie case under Section 103 (1) of B.N.S is made out against Subhash Kumar Singh. 8. Considering gravity of offence, manner in which offence was committed in pre-planned manner, hence, bail petition of petitioner Subhash Kumar Singh is devoid of merit and same is dismissed. 9. As far as petitioner no. 2 Appu Kumar is concerned, he is son of petitioner no.1 and other than confessional statement of petitioner no. 1 Subhash Kumar Singh, there is nothing on record to connect accused person with alleged offence. Further, statement of Subhash Kumar Singh under Section 23 of Bhartiya Sakshya Adhiniyam is not admissible in evidence. Considering there is no admissible evidence on record against accused/petitioner no. 2 Appu Kumar, hence, considering the	
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Contd. 23.06.2026	period of custody and petitioner is a young boy of aged about 21 years and there is no connecting evidence on record, hence, bail petition of petitioner, namely, Appu Kumar is allowed and he 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 subject to the condition that petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or before any police officer or tamper with the evidence. Any observation made herein will be inconsequential for further proceeding. (Dictated & corrected by me) Sd/- (Purushottam Mishra) Sessions Judge. 23.06.2026	