

Court of District and Addl. Sessions Judge, Biraul(Darbhangha)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sessions Judge, Biraul.

BP No. 122/2026(Saurabh Kumar Jha vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga

BP No. 122 of 2026

In the matter of :-

1. Saurabh Kumar Jha, Son of Vijay Kant Jha

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Swatantra Kumar Mishra, Ld. Advocate.

For the O.P.(State):- Sri Bachcha Rai, Ld. APP.

Order

05.06.2026 The present bail petition has been filed on behalf of abovenamed petitioner who is in judicial custody since 01.03.2026, in connection with Biraul PS case No. 173 of 2024, for the offences U/Ss 304, 201, 34 of IPC, which is pending in the Court of Ld. ACJM, Biraul, Darbhanga.

Heard Sri Swatantra Kumar Mishra the Ld. Counsel for the petitioner and Sri Bachcha Rai Ld. APP for State.

The FIR in the present case has been lodged on the basis of application of informant namely Ranjan Yadav. The case of the prosecution in brief is that the informant's brother namely Yadav Raushan Phoolchan went to GD College in Begusarai for his educational work and was returning from there on the same evening. During this course, the last conversation with him took place at 08:42 PM. He mentioned "I am passing near Kalna Haat". However when he did not reach home by 10 Pm, the family members informed him about this, he continuously tried to contact him; despite the phone ringing the call was not being received. In the meantime, informant along with one of his cousins, set out to look for him and went from Kothi Haat towards Kalna. After that informant reached Biraul Police Station and gave verbal information to the police. Meanwhile a photo of a boy came on my relative brother's Whatsapp, who appeared to be lying unconscious in a near death condition. Informant identified this photo as his brother. Upon searching his brother was found lying in DMCH. The informant came to know that a fight

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took place between two factions. The application also mentions that some people, due to a rivalry and violence between two factions, considering his brother as their opponent or enemy, they intentionally hit him with a vehicle and brutally crushed and killed him so that the evidence could be obliterated.

Ld. Counsel for the petitioner submits that the petitioner is quite innocent and he has not committed any offence. The petitioner has falsely been implicated in this false case merely on suspicion. The petitioner is in judicial custody since 01.03.2026 and he is ready to abide by all the conditions as imposed by the court. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Heard submissions made at bar and perused the case records of the present case. From perusal of the case records it appears that para 3 of the case diary mentions inquest report of deceased Raushan Yadav. Para 20 of the case diary mentions post mortem report of deceased Rashan Yadav. Para 83 of the case diary mentions that petitioner in connivance with other accused persons were riding motorcyle negligently and rashly and struck Raushan Yadav due to which Raushan Yadav got badly injured. Para 84 of the case diary mentions statement of Ramprasad Yadav who too have reiterated the same version. Considering the discussions made above, nature of allegation, gravity of the offence as well as other facts and circumstances of the case this Court does not feel inclined to grant bail to the petitioner at this stage. Accordingly the prayer for bail of above-named petitioner is hereby **rejected**.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

05.06.2026