

IN THE COURT OF SESSIONS JUDGE, MUNGER

BAIL APPLICATION No.- 831/2026

Mithun Kumar Vs. The State of Bihar

Harpur P.S. Case No. 75/2025

21.04.2026

1. The present bail application has been preferred by petitioner **Mithun Kumar** S/o- Hisabi Mandal who is lying in judicial custody since 19.11.2025 in connection with Harpur P.S. Case No. 75/2025 u/s 103(1) and 3(5) of B.N.S., pending in the Court of Sri Nishant Kumar Ojha, the Ld. J.M. -Ist Class Munger.

2. The informant has alleged that all the accused persons including the petitioners murdered his son by stating that his son has an illicit relationship with the wife of one of the co-accused namely Sachin @ Mujungi. Hence the information, based on which the above stated P.S. case was registered.

3. At the outset the Ld. Counsel for the petitioner has certified that previously no regular or anticipatory bail has been filed on behalf of the petitioner before this Court or before any other Court including the Hon'ble High Court. He also certified that **the petitioner has no criminal cases pending against him.** He further submits that the petitioner is innocent and has not committed any offence and further that he has been falsely implicated in the present case. That there are no specific allegations against the petitioners. That no case under the alleged sections is made out against the petitioners. That the present petitioner is lying in judicial custody since 19.11.2025. Therefore the Ld Counsel pleads that the present petitioner be enlarged on bail.

4. The Ld. PP has vehemently opposed the bail application and submits that the petitioner is a named accused of the F.I.R. and the investigation in the case is continuing. From the post-mortem report, the cause of death has been opined as 'due to asphyxia caused by strangulation'. That some of the co-accused persons have already been granted anticipatory bail as well as regular bail by the Hon'ble High Court, Patna vide orders dated 17.02.2026 &

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19.03.2026 in Cr. Misc. No. 86611/2025 and in Cr. Misc. No. 3578/2026 respectively.

5. Heard the submissions of respective Id. Counsels and perused the record of the case.

6. From perusal of case record, it appears that the petitioner is a named accused of the F.I.R. That the witnesses in their respective statements on paras 8 and 9 of the case diary have supported the prosecution case. From the post-mortem report, the doctor has opined the cause of death due to 'asphyxia caused by strangulation'. That the investigation in the case is continuing. That some of the co-accused persons have already been granted anticipatory bail as well as regular bail by the Hon'ble High Court, Patna vide orders dated 17.02.2026 & 19.03.2026 in Cr. Misc. No. 86611/2025 and in Cr. Misc. No. 3578/2026 respectively. That the present petitioner is lying in judicial custody since 19.11.2025.

7. Therefore, considering the seriousness and gravity of the offence, the nature of allegations and in the totality of the facts and the circumstances, I am not inclined to accept the present bail application and hence the same is hereby **Rejected**.

Dictated

(ALOK GUPTA)
Sessions Judge, Munger
Dated:- 21.04.2026