

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th June, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

B.A. No. 248/2026 (Arising out of Sonbarsa Raj P.S. Case No. 26/2026)

Darshan Kumar

... Petitioner Vs State of Bihar

In the matter of :-

Darshan Kumar S/o Late Madhusudan Prasad Yadav @ Masujan Prasad Yadav
Resident of Village Jarsain, Ward No. 3, P.S. and District Saharsa.

.....**Petitioner**

Vs

State of Bihar

.....**Opposite Party**

Appearance :-

For the Petitioner :- Sri Jitendra Nath Jha, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	05.06.2026	This bail petition has been filed on behalf of the petitioner namely Darshan Kumar son of Late Madhusudan Prasad Yadav @ Masujan Prasad Yadav who is in custody since 16.02.2026 in connection with Sonbarsa Raj P.S. Case No. 26/2026 registered under Sections 103(1), 238 of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3 It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 16.02.2026. It is further submitted that petitioner is quit innocent has falsely been implicated in this case due to grudge, malice and dirty village party politics. It is further submitted that petitioner bears no criminal antecedent. It is further submitted that the alleged sections are not applicable against the petitioner. It is further submitted that the petitioner is not named in FIR and he has no manner of concern with the alleged incident. It is further submitted that the petitioner is man of means and there is no chance of his absconding or tampering with the evidence in this case and he is ready to furnish sound sureties to the full satisfaction of the court. Upon these grounds, the learned counsel prays to grant bail to the petitioner. 4. On the other hand, the learned P.P. has opposed the prayer of bail. 5. Rival submissions considered, Record perused.	

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<u>Cont/2-</u> <u>05.06.2026</u>	6. The prosecution case, in brief, is that as per the written report of informant Ghanshyam Kumar is that on 12.02.2026 he received information on instagram about the headless body of an unknown person uploaded on Saharsa Police page. When he looked at the uploaded photo he found that it was of his nephew Rajesh Kumar working as a supplier for a private company in Bangalore for about more than two years and he had not returned to the village since then. He used to communicate regularly with his family members via mobile and video calling. On 08.02.2026 he last spoke to Rajesh by mobile and he told him that he was going somewhere else for a few days. He spoke to his brother for the last time on 11.02.2026 in which he talked about family matters. Meanwhile on 12.02.2026 he got information through Instagram that his nephew was murdered and his head was thrown on the bank of Sursar river located near the house of Padampur Bahiyar. He has full faith that his nephew was murdered by unknown criminals and to hide the evidence and his identity the head was thrown away. 7. The name of the petitioner is not mentioned in the FIR. The petitioner is in custody since 16.02.2026. There is no eye witness in the case and the case is based on circumstantial evidence. The countrymade katta is recovered from the possession of the petitioner has not been connected with the deceased or from the incident in question. The charge-sheet has already been filed. The nature of evidence as such which can not be tampered by the petitioner. 8. Considering the totality of the facts and circumstances a case to grant bail to the petitioner accused namely Darshan Kumar is made out. Resultantly the prayer for bail is allowed. The petitioner be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the	
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**Cont/3-
05.06.2026**

conditions as laid down under Section 480(3) of the BNSS. Further condition is that the petitioner shall not try to contact with the witness. The petitioner shall cooperate in the trial and shall remain physically present till charges are framed and thereafter shall remain duly represented on each and every date of hearing. In case of any condition abide by the petitioner the prosecution may move for cancellation of bail of the petitioner.

9. With the above observations the petition stands disposed of.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

05.06.2026

Date of Judgement/Order	05.06.2026
Date of Reserving Judgement/Order	05.06.2026
Uploading Date	08.06.2026
Uploaded by	Sachin Kumar