

In the Court of **Puneet Kumar Garg**, Sessions Judge, Saran at Chapra
Bail Petition Nos. 317, 363, 364 & 414 of 2026 (Hariharnath P.S. Case No. 19/2026)

Rakesh Kumar @ Rakesh Das & Ors. V/s State of Bihar

ORDER

S.No.	Date	Contents	Remarks
01	02.04.2026	<p>1. BP No. 317/2026 has been filed by the petitioner-accused, Rakesh Kumar @ Rakesh Das, BP No. 363/2026 has been filed by the petitioners-accused, namely, (i) Jitan Singh @ Jitendra Kumar Singh, (ii) Sarita Devi & (iii) Prince Kumar Singh @ Prince Kumar, BP No. 364/2026 has been filed by the petitioner-accused, Dulari Devi, and BP No. 414/2026 has been filed by the petitioner-accused, Reena Devi.</p> <p>2. Heard learned counsel representing the petitioners-accused as well as learned Public Prosecutor representing the State on bail petitions of above-mentioned petitioners-accused. All the petitioners-accused have been in custody since 21.01.2026 except the petitioners-accused, namely, Dulari Devi & Reena Devi. The petitioners-accused, namely, Dulari Devi & Reena Devi have been in custody since 21.02.2026 & 11.02.2026 respectively in this Hariharnath P.S. Case No. 19/2026, registered under Sections 80(2) & 238 r/w 3(5) of the BNS, pending in the Court of Shri Anant Kumar, learned JMFC, Saran at Chapra.</p> <p>3. An FIR of this case has been registered on the basis of a typed application of the informant, namely, Jaiprakash Mahto, stating that he had solemnized the marriage of his deceased daughter Sarita Prakash with the co-accused of this case, namely, Satyendra Kumar on 09.05.2025 according to Hindu rites, after giving about Rs. 3 Lakhs and other articles as per his capacity. After marriage, the accused persons, namely, Satyendra Kumar (husband), Jitan Singh (Bhaisur), Jitan Singh's wife (Gotani - Sarita Devi), Dulari Devi (mother-in-law) & Rita Devi (neighbour), allegedly started demanding additional dowry of Rs. 5 lakhs and subjected the deceased to cruelty and assault, and often restrained her from food. It is further alleged that on 16.01.2026 in the morning, the dead body of his daughter was found thrown near the informant's door, and he believes that all the accused persons, in furtherance of dowry demand, committed her murder and disposed of the body there.</p> <p>4. It is contended on behalf of learned counsel representing the petitioners-accused that they are quite innocent, have not committed any offence as alleged in F.I.R. and have falsely and wrongly been implicated in this false case out of enmity and grudge. Next contended that earlier no ABP or regular bail has been filed on behalf of the petitioners-accused in this Court or Hon'ble High Court, Patna in connection with the present case and all the petitioners-accused got clean antecedent except the</p>	

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petitioner-accused, *Jitan Singh @ Jitendra Kumar Singh*. The petitioner-accused, *Jitan Singh @ Jitendra Kumar Singh* has one criminal antecedent *vide* Kartaha P.S. Case No. 110/2024 except this one. Next added that the allegations levelled against the petitioners-accused are totally false, baseless and concocted. Next contended that there is no any specific allegation against the petitioners-accused and they have no concern with the co-accused of this case, namely, *Satyendra Kumar* and the said occurrence. Next added that some of the petitioners-accused are not named in the FIR, but their names have been dragged in this case only on the basis of confessional statement of the petitioner-accused, *Jitendra Kumar*, and due to being family member(s) and neighbour of co-accused of this case, namely, *Satyendra Kumar (husband of the deceased)*. Further asserted that the co-accused of this case, namely, *Santosh Kumar @ Santosh Rajak* has already been enlarged on regular bail by this Court *vide* BP No. 186/2026 on 11.02.2026, and the case of these petitioners-accused stands on better footing. Further submitted that the petitioners-accused are ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioners-accused may be enlarged on bail.

5. On the other hand, learned Public Prosecutor representing the State vehemently opposed the prayer for bail of the petitioners-accused.

6. Heard both the sides and perused the relevant materials available on record including the case diary. From the same, this Court finds that during investigation, the confessional statement of the accused recorded in para nos. 58, 59 & 60 of the case diary discloses specific and direct involvement of the petitioners-accused, namely, (i) *Jitan Singh @ Jitendra Kumar Singh*, (ii) *Sarita Devi* and (iii) *Rakesh Kumar @ Rakesh Das*, in the commission of the alleged offence. The materials collected during investigation, at this stage, *prima facie* indicate their active complicity in the occurrence. In view of such specific incriminating materials, this Court is of the considered opinion that the aforesaid petitioners-accused cannot claim parity with the co-accused of this case, namely, *Santosh Kumar @ Santosh Rajak* who has earlier been enlarged on bail by this Court *vide* BP No. 186/2026 on 11.02.2026, as the role attributed to them stands on a different and more serious footing.

7. So far as the remaining petitioners-accused, namely, (i) *Prince Kumar Singh @ Prince Kumar*, (ii) *Dulari Devi*, and (iii) *Reena Devi* are concerned, this Court finds that except their

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	<p>implication in the <i>farbayan</i> statement, no specific overt act or independent material has surfaced against them during the course of investigation. No direct allegation appears to have been found against the said petitioners-accused so as to justify their further detention for an indefinite period. Accordingly, considering the nature of allegations, the materials available on record and the absence of any specific role attributed to them, this Court is inclined to extend the privilege of bail to these petitioners-accused.</p> <p>8. Hence, the prayer for bail of the petitioners-accused, namely, (i) Jitan Singh @ Jitendra Kumar Singh, (ii) Sarita Devi and (iii) Rakesh Kumar @ Rakesh Das, stands rejected, whereas the remaining petitioners-accused, namely, (i) Prince Kumar Singh @ Prince Kumar, (ii) Dulari Devi, and (iii) Reena Devi are directed to be released on bail on furnishing bail bond of Rs. 50,000/- each with two sureties of the like amount each to the satisfaction of the learned Court concerned subject to the condition laid down u/s 480(3) of B.N.S.S. :-</p> <p>(I) That the petitioners shall make themselves available for interrogation by I.O. as and when required,</p> <p>(II) That the petitioners 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 them from disclosing such facts to the Court or to the I.O. of the case,</p> <p>(III) That the petitioners shall not leave India without the previous permission of the Court,</p> <p>(IV) That the petitioners are directed to co-operate in trial and disposal of the case.</p> <p>(V) That the <u>Bailor(s)</u> must be the <u>close-relative(s)</u> of the petitioners-accused.</p> <p>[Dictated]</p> <p>(Puneet Kumar Garg), Sessions Judge, Saran 02.04.2026</p>	