

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
SITAMARHI.

Dated, Sitamarhi, the 16th April, 2026.

Sitamarhi.

B.P No. 280/26

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge,

In the matter of :-

Mithu Kumar, S/o Kailash Paswan, R/o Jahangirpur, P.S- Shyampur Bhataha,
Distt. Sheohar.....Petitioner

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner/s:- Sri Krishna Kant Jha, Advocate.

For the State:- Sri Prafulla Kumar Jha, I/C P.P.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
16.05.2026.	This bail petition has been filed on behalf of the petitioner namely, 1. Mithu Kumar who is in custody since 09.03.2026, in connection with Parsauni PS Case No. 159/2024 registered u/s: 103(1), 238, 82(2) of BNS. 2. Heard the learned counsel for the petitioner and the learned I/C PP for the State. 3. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. All the allegations levelled against the petitioner are false and frivolous. Further submitted that petitioner is in custody since 09.03.2026. On these grounds, the learned counsel for petitioner prayed for grant of bail to the petitioner. 4. On the other hand, the learned I/C PP opposed the prayer for bail and submitted that petitioner is named in the FIR and there is direct allegation against him that, he married with another women, while being husband of informant and when she made a complaint to police, petitioner continously used to threaten her. On 29.10.2024.	

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petitioner threatened informant and killed her son, whose dead body was found in pond. During investigation of case in para 6 of case diary, informant and in paras 7, 8 and 9 of the case diary, witnesses have supported the accusation levelled against petitioner. As per post mortem report, cause of death of informant's son is asphyxia leading to CR failure as a result of drowning. The charge-sheet has already been submitted against petitioner.

5. The prosecution case, in short, as per written application of the informant namely, Usha Devi is that her marriage was solemnized with the Mithu Kumar in the month of June, 2009. Her husband went to Punjab in the year 2023 and thereafter he used to often quarrel with her. In the year 2024, he got married second time with Shivani. On 29.10.2024, Mithu Kumar threatened to kill the informant and her son. In morning, the informant found her son Manjit missing from the bed and on search she learnt that dead body of her son is in Dema pond. Mithu Kumar killed informant's son by strangulating him. Accordingly, on the basis of written application of informant FIR was registered in this case.

6. Perusal of record shows that petitioner is named in the FIR and there is specific allegation against the him that he while being husband of the informant performed second marriage with another women and when informant complained, he used to threaten her. On 29.10.2024, he threatened to kill informant and her son. On next morning the dead body of informant's son was found floating in the

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pond. During investigation of case, in case diary, informant and witnesses have supported the accusation levelled against petitioner. In the post mortem report of deceased, swelling was found over forehead and casue of death is ashpyxia leading to CR failure as a result of drowning.

7. Considering the aforesaid facts & circumstances of the case, serious nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is hereby rejected.

(Dictated)



(Akhilesh Kumar Jha)

Principal Sessions Judge,
Sitamarhi.

16.05.2026

Date of Judgment /Order	16.05.2026.
Date of Reserving Judgment/Order	16.05.2026
Uploading Date	18/5/2026
Uploaded by	Purushottam Kumar