



**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2026**  
**(@SLP(CRL.) NO.1367 OF 2026)**

**OM PRAKASH SINGH @  
KHUDI SINGH @ KHUDI** **APPELLANT(S)**

**VERSUS**

**STATE OF BIHAR** **RESPONDENT(S)**

**ORDER**

1. Heard. Perused the records.
2. Leave granted.
3. It is the case of the prosecution that on the basis of alleged Fardbayan of one Manju Devi (daughter-in-law of deceased) recorded on 11.04.2025 to the effect that on 10.04.2025 around 10:00 pm she received an information about her father-in-law's death from her sister-in-law, Sushma Devi and upon reaching the place of incident she had found her father-in-law lying in a pool of blood and on inquiry she came to know from her nephew Karan Kumar and Tuntun Sahu that Om Prakash Singh (appellant herein)

and Digambar Kumar had assaulted the deceased with lathis and dandas and as a result of injuries sustained he had expired. Hence, FIR under Section 103(1) and 3(5) of BNS Act, 2023, came to be registered against them.

4. The purported confessional statement which has been relied upon by the prosecution to oppose the prayer of bail would reveal that appellant has admitted of having assaulted the deceased or in other words, the appellant is said to have confessed having assaulted the deceased on the head and other parts of the body with lathi as he had made objectionable and obscene remarks/acts against the minor daughter of the appellant Ms.XXX .

5. The learned trial judge, based on the said confessional statement, rejected the prayer for grant of bail and so also the learned High Court. Hence, the present appeal.

6. Though, a defence has been raised that the deceased had provoked the appellant and it was sudden act of provocation which led to assault, the said fact has to be considered after evaluating the evidence that may be tendered by the prosecution. The contradictions which are sought to be urged to belie the prosecution story, are issues which will have to be thrashed out after trial and any scrutiny of the same, at this stage, is likely to prejudice the rights of either of the parties.

7. Having regard to the fact that chargesheet has been filed and appellant is in custody for around 11 months, we are of the considered view that by imposing strict conditions appellant can be enlarged on bail, namely, by directing the appellant to cooperate with the trial; not to seek for any adjournment; and also not to indulge in either threatening or inducing the prosecution witnesses in any manner whatsoever, which conditions would be in addition to other and further conditions that trial court may deem fit to impose.

8. Accordingly, appeal is allowed. Impugned order is set aside.

9. Pending application(s), if any, shall stand disposed of.

.....J.  
(ARAVIND KUMAR)

.....J.  
(PRASANNA B. VARALE)

**New Delhi;  
April 13, 2026.**

ITEM NO.8

COURT NO.16

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.)

No(s). 1367/2026

[Arising out of impugned final judgment and order dated 07-11-2025 in CRLM No. 51545/2025 passed by the High Court of Judicature at Patna]

OM PRAKASH SINGH

@ KHUDI SINGH @ KHUDI

Petitioner(s)

VERSUS

STATE OF BIHAR

Respondent(s)

IA No. 23826/2026 - EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT

IA No. 23827/2026 - EXEMPTION FROM FILING O.T.

IA No. 43407/2026 - EXEMPTION FROM FILING O.T.

IA No. 43406/2026 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES

Date : 13-04-2026 This matter was called on for  
hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :Mr. Moni Cinmoy, Adv.

Mr. Ashok Anand, AOR

Mr. Rakesh Kumar Singh, Adv.

Mr. Ajay Gupta, Adv.

Mr. Bipin Bihari Singh, Adv.

For Respondent(s) :Mr. Anshul Narayan, Adv.  
Mr. Anshuman Harsh, Adv.  
Mr. Prem Prakash, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. Leave granted.
2. Appeal is allowed in terms of the Signed Order which is placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(RASHI GUPTA)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)