

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14083 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- DHARHARA District- Munger

Prem Kumar @ Abhishek Kumar Son of Hira Singh @ Hira Ram R/o -
Village/Mohalla-Mangarh, P.S - Dharhara, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 11-07-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offences under Sections 341, 323, 307, 504 and 34 of the I.P.C.

3. As per the prosecution case, the petitioner along
with the other named accused persons killed the husband of the
informant. It has further been alleged that one of the accused
person namely Raja Kumar, had beaten the husband of the
informant with the help of bricks causing grievous injury who
later succumbed to the said injuries.

4. Learned counsel for the petitioner submits, from
mere perusal of the F.I.R., that the main assailant is co-accused
Raja Kumar and the petitioner was just a member of the mob
and no specific overt act has been established against him. It has



further been submitted that the petitioner has two criminal antecedent in which he is on bail and in the present case, he is in custody since 23.01.2025. It has also been submitted that similarly co-accused Hira Singh and Ranjit Kumar have been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 26.10.2024 passed in Cr. Misc. No.57081 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the petitioner was part of the mob, who had assaulted the husband of the informant, who later succumbed to his injuries.

6. Considering the aforesaid facts and circumstances and taking into account that the petitioner is not the main assailant and similarly situated accused persons have been granted bail, the petitioner above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Dharhara P.S Case No.122 of 2024, subject to the conditions :-

(i) one of the bailors shall be the close relative of the petitioner

(ii) the petitioner shall remain physically present in



the Court on each date of trial.

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) the learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his/her criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

sharun/-

U		T	
---	--	---	--

