

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25332 of 2025

Arising Out of PS. Case No.-116 Year-2023 Thana- BYPASS District- Patna

Suraj Kumar @ Suraj Paswan, son of Munna Paswan, resident of village-
Near Kali Mandir, P.S.- Malsalami, Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Deepti Pandey, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 29-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with By Pass P.S. Case No.116 of 2023 registered for the
offences punishable under Sections 302 read with 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the FIR
and is in custody since 26.10.2024.

4. As per FIR, the named co-accused persons
committed murder of the nephew of the informant along with
3-4 unknown persons. The name of petitioner transpired
during investigation.

5. It is submitted by learned counsel appearing for



the petitioner that name of this petitioner transpired out of confessional statement of apprehended named co-accused, Kallu Mahto @ Vikash Kumar, where nothing incriminating appears recovered/surfaced against petitioner as to connect him *prima facie* with present crime in question. It is submitted that said co-accused Kallu Mahto @ Vikash Kumar has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.44077 of 2023 dated 21.07.2023. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion, nothing *prima facie* appears incriminating against the petitioner as to to connect him with present crime in question, coupled with



the fact that investigation of this case is already completed, where petitioner remains in custody since 26.10.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Patna City in connection with By Pass P.S. Case No.116 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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