

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27386 of 2025

Arising Out of PS. Case No.-1088 Year-2024 Thana- MASAUDHI District- Patna

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Lucky Kumar S/o Manish Sharma @ Manish Kumar R/o Village- Sonekukra,
P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Masaurhi P.S. Case No. 1088 of 2024 dated 10.12.2024,
instituted for the offence punishable under Sections 103(1),
61(2) of the B.N.S., 2023.

3. The allegation against the petitioner is that he
alongwith other accused named in the FIR surrounded the son of
informant namely, Sunny Kumar, given knife blow upon him
with intention to kill him for taking revenge in matter of earlier
dispute due to which he received abdominal injury and died
during course of treatment.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that there is no eye witness to the alleged occurrence. During trial, five witnesses have been examined including the informant and all the witnesses have been declared hostile. The statement of the prosecution witnesses have been annexed in supplementary affidavit filed on 03.09.2025. Lastly, it has been submitted that the petitioner is in custody since 13.12.2024, having one criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Masaurhi in Masaurhi P.S. Case No. 1088 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

sankalp/-

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