

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35422 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- KANKARBAG District- Patna

1. Suraj Kumar @ Guddu @ Guddu Kumar S/o- Shivrath Prasad R/V - West Ram Krishna Nagar, New Bypass, P.S.- Ram Krishna Nagar, Distt - Patna
2. Tinku @ Ashish @ Tinku Kumar @ Ashish Kumar S/o- Ragunath Prasad R/V - West Ram Krishna Nagar, New Bypass, P.S.- Ram Krishna Nagar, Distt - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar, Advocate
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Kankarbagh P.S. Case No. 166/2025 registered for the offences under Sections 191(2), 191(3), 190, 109, 132, 351(2), 352 of B.N.S. and Sections 27, 25(1-B)A, 26/35 of Arms Act.

3. As per the prosecution case, in a police operation, the officials surrounded the house of an accused namely Dharmendra Kumar. The miscreants inside opened fire on the police personnel with an intention to kill. During the operation, several accused persons escaped and on search two swords have been recovered on the disclosure of the apprehended accused



persons (petitioners) and it was further disclosed that Dharmendra and Dayashankar had open fired.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case merely on the ground of suspicion. Learned counsel further submits that the petitioners are not alleged to have made any firing and no incriminating article has been recovered from the conscious possession of the petitioners. It is lastly submitted that the petitioner no. 1 has two criminal antecedent and petitioner no. 2 has one criminal antecedent and they are in custody since 19.02.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account that no incriminating article has been recovered from the conscious possession of the petitioners, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XI, Patna in connection with Kankarbagh P.S. Case No. 166/2025 subject to the conditions :-



- a. One of the bailors of the petitioners shall be their close relative.
- b. The petitioners shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to the cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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