

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39997 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- MANSURCHAK District- Begusarai

Bibhuti Kumar S/o Late Bhushan Ishwar R/o vill - Salampur, PS- Bachhwara,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-06-2025 Heard the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Sessions Trial No. 927 of 2024, arising out of Mansoorchak P.S. Case No. 41 of 2024, registered for the offence punishable under Sections 394 and 397 of the Indian Penal Code and Sections 25(1-B)a, 26, 27 and 35 of the Arms Act.

3. Earlier the prayer for bail of the petitioner came to be rejected by this Court in Cr. Misc. No. 60121 of 2024 vide order dated 26.10.2024, after taking into account the materials available on record, suggesting the complicity of the petitioner in the crime.

4. Learned Advocate for the petitioner submitted that co-accused Sonu Kumar, who was facing identical allegation, had also moved before this Court in Cr. Misc. No. 62327 of 2024. The prayer of the said co-accused also came to be negated



on 10.01.2025 with a liberty to renew his prayer of bail after framing of the charge. Accordingly, he moved before this Court in Cr. Misc. No. 26630 of 2025, after framing of the charge on 20.01.2025. The prayer of co-accused was duly considered and he has been accorded the privilege of bail by this Court vide order dated 09.05.2025. It is the specific contention of the petitioner that the case of the petitioner is based on parity and, moreover, the petitioner has been incarcerated since 18.04.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that there is very serious allegation against the petitioner, leading to institution of the FIR, for the offence punishable under Sections 394 and 397 of the Indian Penal Code. That apart, the petitioner is also facing two other criminal cases.

6. Considering the submissions set forth by learned Advocate for the respective parties and taking note of the fact that the charges have already been framed and the identically situated co-accused person has been accorded the privilege of bail by this Court besides the period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VII, Begusarai in connection with Sessions Trial No. 927 of



2024, arising out of Mansoorchak P.S. Case No. 41 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The 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 criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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