

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39383 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- KHAJEKALA District- Patna

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1. Md. Chand Sutar @ Md. Aftab @ Chand Miya S/O Late Hafij Resident of Village- Mahendru, P.S- Sultanganj, Distt.- Patna.
 2. Abhishek Kumar Verma @ Abhishek Mehata @ Baudha S/O Shivnath Prasad R/O Chhoti Pahari, New Bypass Road, Near Nahar, P.S- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Tiwari, Adv.
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 19-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners seek bail in a case registered for the offences punishable under Sections 307, 506, 302, 120(B)/34 of the IPC and 27 Arms Act.
3. Learned counsel for the petitioners submits that the petitioners are in custody since 23.11.2024 and petitioner no.1 has antecedent of seven cases and petitioner no.2 has antecedent of nine cases. It is submitted that the informant alleges that on 02.01.2024, her husband asked her to prepare tea and went out, thereafter some villagers came running and disclosed that someone has shot her husband in the graveyard. Accordingly,



the informant reached the graveyard and saw that her husband was struggling and multiple bullets were shot in his head and face and one Md. Chhotu was also lying beside him who was shot in his leg, later the husband of the informant died, on account of the gunshot injury. It is next alleged, based on suspicion that three days prior to the occurrence her husband had disclosed that one Ajay Verma and his associates including the petitioners had threatened to kill him.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that informant is not an eye-witness to the occurrence nor the villagers who disclosed about the occurrence disclosed the name of any of the accused nor the informant in the F.I.R., disclosed the name of the villager who disclosed to her about the occurrence which also casts an aspersion on the case of the prosecution. It is next submitted that husband of the informant himself was a veteran criminal, as such, it might be a possibility that he was killed by someone else and based on suspicion the petitioners and others came to be implicated. It is next submitted that the charges against the petitioners stand framed, but, then not a single witness till date has been examined. It is also



submitted that Mani Kumar @ Mani Chaudhary @ Manni Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No.58135 of 2024 and the same was allowed by an order dated 24.09.2024. Learned counsel for the petitioners submits that in the order dated 24.09.2024, it is recorded that Mani Kumar had antecedent of one case when he had antecedent of six cases, as such, it appears that his antecedent was concealed at para-3 of the bail application.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners and submits that no doubt informant is not the eye-witness to the occurrence and husband of the informant was killed. It is also submitted that the petitioners have antecedent and in the event if privilege of bail is granted to the petitioners, the petitioners may abscond, on which, the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the trial to prove their innocence.

6. Considering the submissions made by learned counsel for the petitioners, let the petitioners above named be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is



pending/successor court in connection with Khajekalan P.S.
Case No.04/2024 with condition that one of the bailors of the
petitioner no.1 shall be his wife and of petitioner no.2 shall be
his mother Kiran Devi.

**7. However, it is made clear that if the learned trial
court comes to a conclusion that the petitioners after their
release are trying to delay the trial in any manner, the
learned trial court shall be at liberty to cancel the bail bonds
of the petitioners.**

(Satyavrat Verma, J)

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