

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39834 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Madhurendra Kumar Patel @ Madhu Patel S/o Lal Babu Patel @ Lal Patel
R/o Village- Hanuman Nagar (Pachharwa), P.S.- Majorganj District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-06-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 126(2), 127(2),
115(2), 118(1), 109, 316(2), 318(4), 351(2), 351(3), 3(5) of the
B.N.S.

3. As per the prosecution case, on 16.08.2024 at about
10:30 in the night, the informant was sleeping in his house and
information was given by one Lalita Devi that there was a snake
in her house and when the informant went there, the accused
persons, namely, Shatrudhan Patel, Pramod Patel and Sanjay
Patel attacked on him. It is further alleged that the co-accused



Aman Patel had assaulted the informant on his head with the butt of the pistol, co-accused Amod Patel assaulted him with an axe on his leg and the co-accused Satrudhan Patel assaulted him by *dabiya* near his eye due to which he sustained severe injuries and he was taken to Sadar Hospital from where he was referred to S.K.M.C.H., Muzaffarpur for better treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against all the accused persons including the petitioner rather the specific allegation of assaulting the deceased on his head is against the co-accused Aman Patel. It is next submitted that admittedly there was a money dispute between the parties and the occurrence had taken place during the night, therefore, the identification by the informant also becomes doubtful. It is lastly submitted that the petitioner has two criminal antecedents and is in custody since 10.10.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that there is specific allegation against the petitioner to have assaulted the informant due to which he died during the course of treatment and from perusal of the post-mortem report, it is evident that the deceased had



sustained grievous injuries over his body.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the specific allegations of assault are on the other co-accused persons coupled with the fact that the petitioner is in custody since 10.10.2024, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi, in connection with Majorganj P.S. Case No. 257 of 2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be



delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

Jyoti/-

U		T	
---	--	---	--

