

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45085 of 2025

Arising Out of PS. Case No.-510 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Monu Kumar @ Monu S/o Late Manoj Mahto Resident of Village-Ram
Nagar Sari, PS- Mathurapur, Dist- Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2025 Heard Mr. Raja Ram Mishra, learned counsel for
the petitioner and Mr. Sunil Kumar Pandey, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.05.2025 in connection with Samastipur Muffasil P.S. Case
No. 510 of 2023, F.I.R. dated 28.11.2023 for the offences
punishable under Sections 341, 323, 447, 448, 354, 307, 504,
506 and 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. According to prosecution case, co-accused
Chandan Jha along with three other persons have assaulted to
the wife of the informant and later on they fired upon the
informant with intention to kill him.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
petitioner is not named in the F.I.R. and the name of the



petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Baibhav Krishna @ Golu and except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated, co-accused, namely, Chandan Kumar @ Chandan Jha against whom there is allegation that he has fired upon the informant has been anticipatory granted bail by a Co-ordinate Bench of this Court vide order dated 20.02.2024 passed in Cr. Misc. No. 6967 of 2024. The petitioner is in custody since 06.05.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not named in the FIR and his name has been transpired on the basis of the confessional statement of the co-accused person and the co-accused against whom there is allegation of firing has been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Additional Chief Judicial Magistrate II, Samastipur in connection with Samastipur Muffasil P.S. Case No. 510 of 2023, subject to the following conditions:-

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

ii. 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.

iii. And further condition that 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 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.

(Rajesh Kumar Verma, J)

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