

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51057 of 2025

Arising Out of PS. Case No.-649 Year-2024 Thana- DHANARUA District- Patna

1. Mukesh Bind S/o Doman Bind R/o Village- Veer, PS- Dhanarua, District- Patna
2. Birmani Bind @ Birmani Kumar S/o Biranchi Bind R/o Village- Veer, PS- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Anand, Advocate

For the Opposite Party/s : Mr.Renuka Ratanakar (App125)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 25-11-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Dhanarua P.S. Case No. 649 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 103(1), 3(5) of B.N.S. and Section 27 of Arms Act.

3. As per prosecution-case, when the informant's husband was going to irrigate his field followed by the informant, petitioners and co-accused surrounded the informant's husband and attacked him and petitioners inflicted several knife blows on him and co-accused Rajmani Bind and Sonu Bind @ Ledha fired upon him with country-made pistol



and one bullet hit on the head of the informant's head as a result of which he sustained fire-arm injury over head and finally he succumbed to the injury.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the F.I.R. They are in custody since 08.01.2025 and petitioner No. 2 is in custody from 25.01.2025 and charge-sheet has already been submitted. There is no likelihood of tampering with the prosecution-evidence. Post mortem report reflects that death was on account of firearm injury and there is no allegation of assault by firearm against the petitioners and there is no injury of knife as the allegation is totally negated by post mortem report. Petitioner No.1 bears two criminal antecedents, in which he is on bail. Petitioner No. 2 also bears one criminal antecedent, in which he is on bail.

5. Learned A.P.P. vehemently opposed the prayer of bail and submitted that there is allegation of assaulting by knife and they cannot escape from the allegation made in the F.I.R. Hence, petitioners do not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, charge-sheet has already been submitted, there is no likelihood of tampering with the



prosecution evidence, there is no allegation of firing against the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Masaurhi in connection with Dhanarua P.S. Case No. 649 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

K.C.Jha/-

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