

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43990 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- ATHMALGOLA District- Patna

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Ganauri Kumar @ Genda Son of Sitaram Yadav R/O Vill- Burhanpur, P.S.-
Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mrs. Sharda Kumari.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Athmalgola P.S. Case No. 45/2025 dated 04.02.2025 registered for the offences punishable u/ss 103(1), 118(1), 109(1) read with section 3(5) of the BNS, 2023.

3. As per the prosecution case, the co-accused persons along with the two other unknown miscreants are alleged to assaulted the informant's son and daughter-in-law while they were returning to their house. It is further alleged that the informant's daughter-in-law was lying dead at the place of occurrence and his son was in injured condition. It is further



alleged that the his son was also died while being taken to hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Navin Kumar. Police recovered two mobile phones and one motorcycle from the place of occurrence but the said mobile phones belongs to Navin Kumar and another belongs to Sujeet Kumar and the motorcycle belongs to Navin Kumar. Nothing has been recovered from the conscious possession of the petitioner. The specific allegation is against Navin Kumar and Chandrabhushan Kumar to kill the deceased. There is nothing against the petitioner except confessional statement. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that as per para 60 of the case diary, at the instances of the petitioner Genari Kumar @ Geda, police seized motorcycle, knife and t-shirt from the bush which were used in the said offence.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Barh, Patna in connection with Athmalgola P.S. Case No. 45/2025, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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