

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49935 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- PALIGANJ District- Patna

Sunil Kumar S/O Ram Ashish Yadav Resident of Village- Bherharia English,
P.S- Paliganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vinay Mistry, Advocate
For the Opposite Party/s :	Dr. Indihar Kumari, APP
For the Informant	Mr. Ashok Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Paliganj P.S. Case No. 139 of 2025, instituted for the offence
punishable under Sections- 191(2), 191(3), 190, 126(2), 115(2),
109, 308(5) of B.N.S. and Section- 27 of the Arms Act.

3. As per prosecution-case, the informant's husband
used to do labelling of vehicles. It is alleged that co-accused
Manish Kumar, Srinath Kumar and Vijay Kumar along with
seven unknown persons came and demanded half share of the
remuneration from the informant's husband and on refusal,
accused Srinath Kumar took out a rifle from Scorpio vehicle and
handed over to co-accused Manish Kumar and told to kill the
informant's husband upon which co-accused Manish Kumar



fired at informant's husband. It is stated that informant's husband was referred to P.M.C.H. from Sadar Hospital, Paliganj.

4. Learned counsel for the petitioner submitted that petitioner is not named in the FIR and his name has been surfaced on the basis of CCTV footage, as mentioned in para-35 of the case diary and petitioner is said to have taken the gun from the co-accused Manish Kumar. Learned counsel further submits that the victim has not stated the name of the petitioner as the assailant of the present case. So far as the injury report of informant's husband is concerned, the same is stated to be simple in nature, caused by hard and blunt substance which does not corroborate the allegation made in the FIR. The petitioner is in custody since 17.04.2025, having no criminal antecedent. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

5. Learned APP for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that though petitioner is not named in the F.I.R., but his name has been surfaced during course of investigation on the basis of CCTV footage and as such, petitioner does not deserve bail.



6. Considering the aforesaid facts and circumstances of the case, period of custody, injury is simple in nature caused by hard and blunt substance, arguments advanced on behalf of the parties 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. 25,000/- (Rupees Twenty-five thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Danapur in connection with Paliganj P.S. Case No. 139 of 2025 subject to the 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) Petitioner 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 petitioner tampers with the evidence or the witness, 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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