

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52998 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- MEHANDIGANJ District- Patna

Sakaldeep Kumar @ Sakaldeep Yadav son of Mahendra Prasad village-
Murgiyachak, Ps- Hilsa, Dist- Nalanda At P/A- Chankya nagar, Khumhrar,
Ps- Agamkua, dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh

For the Opposite Party/s : Mr. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 26-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Section 103 of B.N.S. & Section 27
of Arms Act.
3. Learned counsel for the petitioner submits that at
Para-3 of the regular bail application, it has been specifically
pleaded that petitioner has antecedent of two cases though the
order impugned records that petitioner has antecedent of six
cases but then the said fact has been recorded inadvertently in
the order impugned. It is next submitted that informant alleges
that his brother had accompanied Dilip for preparing food in a
function, Dilip informed that his brother has been shot and has



been taken to hospital, accordingly, the informant reached the hospital, where doctor declared his brother dead and Dilip disclosed that he and Banty Mahto have seen the assailants.

4. Learned counsel for the petitioner submits that FIR was against unknown and during the course of investigation, the statement of Pintu and Vicky was recorded by the police, who disclosed that the deceased died on account of firing made by the petitioner. It is next submitted that Pintu and Vicky are associates of Anand. It is further submitted that Anand had earlier instituted Mehandiganj P.S. Case No.133/2021 against Prakash, in which charge sheet was submitted and from the side of Anand, Pintu and Vicky were made charge sheet witnesses. It is next submitted that based on the statement of Pintu and Vicky, the petitioner was arrested and his confessional statement was recorded, wherein he was made to confess that he along with Manny Chaudhary had gone to attend the Shradh ceremony of the mother of Banty Kumar, where they met Prakash, who slapped him, on account of which, firing was made from both sides and in the cross firing made by him, the deceased died. The learned counsel submits that the petitioner is in custody since 18.04.2025, charge sheet has been submitted and in the FIR, it has been specifically alleged that Dilip and Banty Mahto



had seen the occurrence and can identify the assailants but then despite petitioner being in custody, was not put on T.I.P. It is submitted that when Dilip and Banty Mahto had seen the assailants, the police ought to have held T.I.P. for identifying the petitioner but then the same was not done, which casts an aspersion on the case of the prosecution. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the prayer for bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mehandiganj P.S. Case No.23/2025.

7. Further, one of the bailors of the petitioner shall be his father, namely, Mahendra Prasad.

8. It is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the framing of charge or after framing of charge is trying to



delay the trial, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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