

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62898 of 2025

Arising Out of PS. Case No.-238 Year-2024 Thana- KATEYA District- Gopalganj

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Munnillal Kushwaha @ Munnilal Singh S/o Ramchandra Singh @
Ramchandra Kushwaha Singh @ Ramdeo Kushwaha Resident of Village-
Patohawa, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-12-2025 Heard Mr. Anshul, learned Senior counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Kateya P.S. Case No. 238 of 2024, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code, lodged on 22.06.2024 by the informant, Lalji Singh.

3. As per the prosecution story, the co-accused persons were planting bushes over a disputed land and when the informant's side objected to the same, the co-accused persons assaulted the informant and his family members.

4. Earlier, the bail of the petitioner was rejected vide order dated 28.02.2025 in Cr. Misc. No. 88011 of 2024 and analogous case and this is the second attempt.

5. Learned Senior counsel for the petitioner submits that he has already suffered by being in custody since 19.07.2024,



has no criminal antecedent and further, there is only one injury on the deceased. The further submission is that he shall be diligently appearing in trial and in no way, shall influence any of the witnesses.

6. Earlier, the report was called for from the Trial Court, according to which, it is on the stage of the charge and the next date fixed was 08.12.2025.

7. Learned APP opposes the prayer submitting that his role cannot be ignored which led to the killing of the unfortunate victim.

8. Taking into the aforesaid facts as also that the petitioner has remained in custody since 19.07.2024, the trial has not commenced, he do not have any criminal antecedent and an undertaking has been given that he shall be diligently appearing in trial without influencing any of the witnesses, in that background, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Gopalganj in connection with Kateya P.S. Case No. 238 of 2024 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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