

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64652 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- KOTWA District- East Champaran

Suraj Kumar, S/o- Late Ramakant Ram, Resident of Village- Gaadhwa ,P.S- Kotwa, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Informant : Mr. Prateek Tandon, Adv.
For the State : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-09-2025 1. Heard Mr. Vijay Shankar Shrivastava, learned
counsel for the petitioner, Mr. Prateek Tandon, learned counsel
for the informant and Mr. Ram Sumiran Rai, learned APP for
the State.

2. The petitioner seeks regular bail in connection with Kotwa P. S. Case No. 132 of 2025, dated 10.04.2025 registered for the offences punishable under Sections 126(1), 115(1), 117(1), 109(1) and 3(5) of the B.N.S. and later on added Section 103(1) of the B.N.S.

3. The main submissions advanced by the petitioner's counsel are that the FIR itself shows that the alleged occurrence was not pre-planned and an incident of *marpit* having taken place in between two children belonging to both the sides led to the



assault allegedly committed with the deceased in which altogether eight persons including the petitioner are alleged to have been involved but on the dead body of the deceased, no external injury was found and as per the post-mortem examination report, the deceased's cause of death was opined as intracranial haemorrhage and its complications. It is further submitted that the petitioner has fair and clean antecedent and has been languishing in jail since 11.04.2025 and the investigation against him has been completed.

4. Mr. Prateek Tandon, learned counsel appearing for the informant, has vehemently opposed the bail prayer of the petitioner and submits that against this petitioner, there is serious allegation and he actively participated in assaulting the deceased and an old lady was brutally assaulted by the accused persons.

5. Mr. Ram Sumiran Rai, learned APP appearing for the State has also opposed the bail prayer of the petitioner.

6. In the facts and circumstances of this case and considering the aforesaid submissions and mainly the facts that on the dead body of the deceased, no external injury was found as stated above and altogether eight accused persons including the petitioner are alleged to have remained involved in



assaulting the deceased and coupled with the genesis of the occurrence as well as completion of investigation against this petitioner and his custody period, this court is inclined to release him on bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Kotwa P. S. Case No. 132 of 2025 on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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