

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72737 of 2025**

Arising Out of PS. Case No.-58 Year-2025 Thana- Shahpur P.S. District- Nawada

Sudama Kumar @ Sudama Prasad S/O Vinod Mahto R/O Village/Mohalla-  
Jagdishpur Bauri, P.O- Bauri, P.S- Sahpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar , Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      01-11-2025                      Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 191(1), 192(2), 190, 126(2), 115(2), 74, 303(2), 324(4), 109, 352, 351(2) and 329(4) of the Bharatiya Nyaya Sanhita, 2023 .

3 . As per the prosecution case, all the FIR named accused persons including this petitioner entered the house of informant and assaulted the informant side and destroyed the tent as well as beautification materials of the tent. It is further alleged that accused persons looted jewellery and other materials kept there for marriage of informant's sister. One of



the injured Sonu Kumar died during treatment.

4. It is submitted on behalf of the petitioner that this petitioner is innocent and has falsely been implicated in this case. As per FIR, there are 15 named accused persons and 25 to 30 unknown accused persons in the case. Allegation of assault is general and omnibus and no specific overt act has been alleged against this petitioner. As a matter of fact, on the alleged date of occurrence, clash took place between the parties over playing DJ. As per post mortem report, death was caused due to head injury. During course of investigation, none of the witnesses have taken name of the petitioner. Petitioner claims clean antecedent. Similarly situated co-accused has already been granted anticipatory bail by this Hon'ble Court vide order dated 15.10.2025 in Cr. Misc. No. 53751 of 2025 .

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Considering the aforesaid facts of the case , clean antecedent of this petitioner and other circumstances of the case , prayer for bail of this petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of Judicial Magistrate 1<sup>st</sup> class, Nawada in Shahpur Police Station Case No. 58/2025, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

**(Prabhat Kumar Singh, J)**

Koushik/-

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