

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73398 of 2025

Arising Out of PS. Case No.-161 Year-2022 Thana- PARASBIGHA District- Jehanabad

Sudama Kumar @ Chhotu Son of Bindeshwar Yadav @ Bineshar Yadav R/o
Vill. - Kank Bigha, P.S. - Kako(Bhelawar O.P.), Dist. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Parasbigha P.S. Case No. 161 of 2022 instituted for the offences
under Sections 302, 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing
murder of the informant's father under conspiracy.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to previous enmity as also on the basis of suspicion. There



is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation is against the co-accused Satish Kumar, Randhir Kumar and Mandhir Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence or with the co-accused persons. The petitioner has two criminal antecedents and is languishing in judicial custody since 17.12.2024 without any rhymes or reason. He further submits that the co-accused Nawab Kumar @ Nawab Yadav has already been granted bail by a Co-ordinate Bench of this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 73711 of 2023.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Parasbigha P.S. Case
No. 161 of 2022, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family
members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall
be properly represented on each and every date fixed by the
court and shall remain physically present as directed by the
Court and in the event of failure on two consecutive dates
without sufficient reasons, his bail bond shall be liable to be
cancelled by the court below.

(Rudra Prakash Mishra, J)

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