

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81573 of 2025

Arising Out of PS. Case No.-349 Year-2023 Thana- MASHRAK District- Saran

Sanderep Kumar @ Sandeep Singh, Son of Baijnath Singh, Resident of
village - Chand Barwa (Chakala), P.S.- Mashrak, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nawal Kishore Singh, Adv.
For the State	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Jeetendra Narayan, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 12-12-2025 Heard Mr. Nawal Kishore Singh, learned counsel for
the petitioner, Mr. Suresh Prasad Singh, learned APP for the
State and Mr. Jeetendra Narayan, learned counsel for the
informant.

2. Petitioner seeks regular bail in connection with
Mashrak P.S. Case No. 349 of 2023 dated 30.06.2023 registered
for the offences punishable under sections 341, 323, 307 and
379 read with section 34 of the Indian Penal Code.

3. The main submissions advanced by petitioner's
counsel are that this is the second attempt of the petitioner to get
the relief of regular bail and his first prayer for the same relief
was rejected by this Bench vide order dated 06.08.2025 passed
in Cr. Misc. No. 32520/2025 but thereafter co-accused Vishal



Kumar, who is carrying similar nature of allegation, has been granted bail by the co-ordinate Bench of this Court vide order dated 18.09.2025 passed in Cr. Misc. No. 54530 of 2025 as he was granted bail after the rejection of the petitioner's first prayer for regular bail and this constitutes a fresh ground for the petitioner to renew his bail prayer and the second ground is the petitioner's custody period which has been about nine months and there is no progress in his case. It is further submitted that in between both the parties, there is case and counter case and the petitioner's side four persons sustained injuries.

4. On the other hand, learned counsel for the informant submits that on account of non-cooperation of the co-accused persons, the petitioner's case has not been committed till date, so, there is strong possibility of misuse of the privilege of bail if the same is granted to the petitioner at this stage and further, the informant's husband was badly assaulted by the petitioner and co-accused, due to which he sustained grievous injury.

5. Learned APP for the State has also opposed the prayer of the petitioner.

6. Heard both the sides and perused the relevant materials. Though against the petitioner, there is serious



allegation, however, considering his present custody period and taking into account the relief of bail having been granted to co-accused Vishal Kumar, who is carrying similar nature of allegation, and mainly the fact that the petitioner's case has not been committed till date, as stated above, though there might be some reasons of non-cooperation by the co-accused persons who are on bail but even then the concerned Magistrate did not remain serious in splitting up the petitioner's case from that of the other co-accused, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail, **after framing of charge**, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Mashrak P.S. Case No. 349 of 2023, **on the condition** : -

(i) The concerned court where the petitioner's case is presently pending is directed to split up the petitioner's case and thereafter, commit the same to the concerned trial court and after that step will be taken by the trial court to frame the charges upon the petitioner as per the procedure of law within one month after the commitment and the petitioner shall be released on bail after the framing of charges and if for any



reason, charges are not framed upon the petitioner within one month of the commitment then the petitioner shall be released on bail.

(Shailendra Singh, J)

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