

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87702 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- NAYAGAON District- Saran

Mukesh Kumar S/O Raj Kumar Singh R/O Village - Gopalpur, P.S.-
Nayagaon, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Akshay Lal Pandit, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-06-2025 Upon repeated calls, no one appears on behalf of

the petitioner. However, learned APP for the State and learned

counsel for the informant are present.

2. The petitioner seeks regular bail punishable for the
offences in connection with Nayagaon P.S. Case No.100 of 2024
under Sections 302/34 of the IPC.

3. It has been alleged in the FIR that the FIR has been
lodged against two named accused persons including the present
petitioner in which the informant has stated that at about 09:30
PM, when he was returning to his house, then he has seen that
three persons including the accused persons and victim were
sitting on the motor cycle. He has seen that they have thrown
victim on the grass and fled away. Informant has seen that his
brother was injured, then it has been intimated to the family



members, who went to PMCH, but during treatment, doctor had declared him death. Allegation has been made against accused persons, who assaulted and killed him.

4. It has been pleaded in the bail petition that the petitioner is innocent and has committed no offence. The case is result of accident. It has been pleaded that there is no independent witness of the said occurrence and motive has not been disclosed in the FIR. Counsel submits that informant was also not present at the place of occurrence. It has been further pleaded that there are two criminal antecedents against the petitioner relating to excise matter.

5. It has been further pleaded that petitioner is in custody since 11.09.2024.

6. Learned APP for the State opposes the prayer for bail and submits that case diary has been called for. He further submits that it is the petitioner and other co-accused persons who are named in the FIR, have attacked on the brother of the informant, due to which cut has come on his chest and left hand.

7. Counsel for the State further submits that in the case diary, it has come that three independent witnesses have disclosed that the said incident is basically an accident between the motor cycle and tractor on which tools relating to boring



machine, pipes, etc were kept and by the said accident, the deceased Sumit Kumar Singh was brutally injured with resulting into his death.

8. In the light of the pleading and arguments as well as materials come in the case diary, let the petitioner above named, be granted bail, on being satisfied by the trial court that the petitioner is not absconding in the case i.e., (i) Nayagaon P.S. Case No.232 of 2023 (ii) Nayagaon P.S. Case No.122 of 2024 which are pending against him, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Nayagaon P.S. Case No. 100 of 2024, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

Siddharth
Sagar/-

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