

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2041 of 2026

Arising Out of PS. Case No.-827 Year-2025 Thana- GAYA MUFASIL District- Gaya

1. Subodh Kumar Singh @ Subodh Singh Son of Late Sitaram Singh Resident of Village - Bhikhanpur, P.S. - Chakand, District - Gayaji.
2. Robbin Kumar Son of Bakil Singh Resident of Village - Bhikhanpur, P.S. - Chakand, District - Gayaji.
3. Manish Singh Son of Late Binay Singh Resident of Village - Bhikhanpur, P.S. - Chakand, District - Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw the application on behalf of petitioner no. 1, Subodh Kumar Singh.

3. Permission is accorded.

4. The application on behalf of petitioner no. 1, Subodh Kumar Singh stands dismissed as withdrawn.

5. The petitioners no. 2 and 3 seek bail in anticipation of their arrest in connection with Gaya Mufassil P.S. Case No. 827 of 2025 instituted for the offences punishable under



Sections 191(2), 190, 109, 329(3) and 252 of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

6. As per the prosecution case, the allegation against the petitioners no. 2 and 3 is that the petitioners and four named accused persons along with 40 other unknown persons came at the house of the informant in search of his son and started abusing. It has been alleged that the petitioners were all variously armed and they even resorted to indiscriminate firing and when the local villagers came to the place of occurrence all the accused fled away.

7. Learned counsel for the petitioners no. 2 and 3 submits that the petitioners have falsely been implicated with general and omnibus allegation and it has not been specified whether the petitioners were carrying any arms. It has further been submitted that only because the petitioners carry long list of antecedents they have falsely been implicated in the present case, however, they have no concern with the said incident. It has next been submitted that for the same incident a counter case has also been lodged being Mufassil P. S. Case No. 831 of 2025 which was lodged by the wife of petitioner no. 1, Subodh Kumar Singh. It has been contended that though the petitioners have four criminal antecedents but they are on bail in



all such cases.

8. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

9. Considering the facts aforesaid and looking at the allegations being general and omnibus with no injury report being on record, the petitioners no. 2 and 3 namely Robbin Kumar and Manish Singh are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Gaya Mufassil P.S. Case No. 827 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident;

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that they have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(vi) in view of the antecedents of the petitioners, the petitioners are directed to appear before the Superintendent of Police concerned within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.

10. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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