

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1640 of 2026

Arising Out of PS. Case No.-146 Year-2025 Thana- SONBERSA District- Sitamarhi

Sumit Kumar S/o Ravindra Mandal Resident of village- Rohua, P.S.-
Sonbarsa, District- Sitamarhi Petitioner/s

Versus

The State of Bihar Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 190, 191 (2) (3), 115 (2), 118 (1), 303 (2) and 103 (1) of the BNS and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the husband of the deceased had gone with Amit Kumar and Abhishek Baitha towards Sitamarhi. As the informant suspected that some untoward incident might take place, she along with her brother-in-law also proceeded on a bike towards Rohua and upon they reached near village-Rohua, she found that nine persons are present there. It is alleged that Chandan Mahto was armed with '*dabia*' and assaulted the husband of the informant with the same, as a result of which he succumbed to the injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



connection with the present case. It is further submitted that on a bare perusal of the FIR, it is clear that though nine persons have been named in the FIR but the name of this petitioner does not find place there. During the course of investigation, the informant in her restatement stated that the petitioner was also present at the place of occurrence. It is further submitted that the only role attributed to the petitioner in her re-statement is that he was merely present there and no overt act has been alleged against him. Moreover, the petitioner is languishing in judicial custody since 22.08.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sonbarsa P.S. Case No. 146 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi.

(Ashok Kumar Pandey, J)

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