

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2701 of 2026

Arising Out of PS. Case No.-240 Year-2025 Thana- KAMTAUL District- Darbhanga

Sunil Kumar Pandit S/O Ramlal Pandit R/O village - Paunad, P.S.- Kamtaul,
District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2026 Heard Mr. Devendra Kumar, learned counsel for
the petitioner as well as Mr. Anil Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.11.2025 in connection with Kamtaul P.S. Case No. 240 of
2025, F.I.R. dated 07.11.2025 for the offences punishable under
Sections 309(4) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant
alleged that when he along with other person were proceeding
towards poultry farm, then two unknown persons riding a
motorcycle came and forcibly stopped their vehicle and
assaulted them and snatched their mobile phones and fled away.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Petitioner is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, namely, Sachin Kumar @ Bara Babu and it appears from FIR and seizure list that nothing has been recovered from the conscious possession of petitioner and except the confessional statement of co-accused person, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused person, namely, Bali Ram Sharma has been granted the privilege of regular bail by this Court vide order dated 20.01.2026 in Cr. Misc. No. 1921 of 2026 and the petitioner is in custody since 09.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and he is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person and nothing has been recovered from the conscious possession of petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 240 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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