

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6544 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- BARIYARPUR District- Munger

Tuntun Mandal @ Tuntun Kumar Son of Fulo Mandal Resident of village -
Vijaynagar (Itahri), P.S.- Bariarpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr. Kumar Kamal Nayan, learned counsel for
the petitioner and Mr. Yogendra Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.11.2025 in connection with Bariyarpur P.S. Case No. 90 of
2025, F.I.R. dated 25.06.2025 for the offences punishable under
Section 103(1) of the BNS, 2023 and Section 27 of the Arms
Act.

3. According to prosecution case, the informant got
information that his brother has been shot dead by some
unknown miscreants.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The allegation as alleged in the FIR is false and



fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the FIR is lodged against the unknown and name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, Sonu Kumar which was recorded in paragraph no. 38 of the case diary in which he has stated that he met the petitioner and this petitioner has provided him the arms which was used in committing the present crime in question and the said Sonu Kumar has fired upon the victim. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has confessed his guilt in the present occurrence and apart from that the petitioner carries eight criminal antecedents other than the present one but fairly submits that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, 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 Additional



Chief Judicial Magistrate-II, Munger in connection with
Bariyarpur P.S. Case No. 90 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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