

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3484 of 2026

Arising Out of PS. Case No.-28 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

Sunil Kumar S/o Late Bal Saran Yadav R/o Village- Mahadev Bigha, Police
Station- Neemchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2026 Heard Mr. Bidhanesh Misra, learned counsel for the

petitioner as well as Mr. Uday Chand Prasad, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.08.2025 in connection with Neemchak Bathani P.S. Case No.
28 of 2020, F.I.R. dated 06.03.2020 for the offences punishable
under Sections 323, 307, 302/34 of the Indian Penal Code.

3. According to prosecution case, it is alleged that the
petitioner along with other accused person assaulted the nephew
of the informant by means of lathi due to which he got injured
and later taken to hospital for treatment where he died.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Although the petitioner is named



in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against him rather there is general and omnibus allegation against all the accused persons including the petitioner and charge has been framed against the petitioner on 07.05.2026 and similarly situated co-accused person, namely, Vijay Kumar has been granted the privilege of bail by this Court vide order dated 29.03.2022 in Cr. Misc. No. 50742 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.08.2025.

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 charge has been framed against the petitioner and similarly situated co-accused person, has been granted the privilege of bail by this Court and the petitioner is in custody since 12.08.2025, 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 A.C.J.M-Xth, Gaya in connection with Neemchak Bathani P.S. Case No. 28 of 2020, 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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