

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6471 of 2026

Arising Out of PS. Case No.-394 Year-2025 Thana- MOHANPUR District- Gaya

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1. Chandan Kumar S/o Jagarnath Singh Resident of Village- Jamuna, P.S.- Mohanpur, District- Gaya Jee
 2. Jagarnath Singh S/o Late Badri Narayan Singh Resident of Village- Jamuna, P.S.- Mohanpur, District- Gaya Jee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

For the Informant : Ms. Archana Shahi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr. Rakesh Singh, learned counsel for the petitioners, Ms. Archana Shahi, learned counsel for the informant and Md. Matloob Rab, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 17.10.2025 in connection with Mohanpur P.S. Case No. 394 of 2025, F.I.R. dated 16.10.2025 for the offences punishable under Sections 109, 303(2), 74, 126(2), 115(2), 118(1), 117(2), 118(2), 351(3) and 3(5) of the BNS, 2023 but later on Section 103 of the BNS was added.

3. According to prosecution case, all the accused



persons including these petitioners armed with deadly weapons have brutally assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioner no. 1 has clean antecedent and petitioner no. 2 carries one criminal antecedent other than the present one but he is on bail in the pending matter and they have falsely been implicated in the present case. He further submits that although the petitioners are named in the FIR but from perusal of the FIR it appears that specific allegation of firing is attributed against the co-accused, namely, Suraj Kumar and the only allegation against these petitioners is that they have also assaulted to the informant due to which he received injury. There is case and counter case between the parties and both the sides have received the injury. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 17.10.2025.

5. Learned Additional Public Prosecutor as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that earlier the informant has filed complaint case no. 266 of 2024 against the family members of the petitioners. Apart from the aforesaid, the injury report of the informant suggest that the injury is grievous



in nature.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sherghati, Gaya in connection with Mohanpur P.S. Case No. 394 of 2025, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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