

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14250 of 2026

Arising Out of PS. Case No.-257 Year-2024 Thana- BIHARIGANJ District- Madhepura

Surenbra Pal Son of Late Gulay Pal Resident of Village - Kathotiya Ward No.
- 07, Police Station - Bihariganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2026 1. Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Bihariganj P.S. Case No. 257/2024, registered for the offences
under Sections 115, 126(1), 118(1), 109, 103(1) and 3(5) of the
Bhartiya Nayaya Sanhita, 2023.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is in custody since
11.06.2025 and the informant alleges that his brother Bijay was
a painter and lived at Murliganj and his assistant was Mandeep,
on 31.07.2024, the informant went to Murliganj to call his
brother for partitioning his land at village Mehkhand but his
brother had gone to village Kathotiya for calling Mandeep,
accordingly he reached village Kathotiya and saw that Surendra



(petitioner), Sikandar, Bipin, Shrawan and Pawan along with 4-5 unknown accused were assaulting his brother brutally by lathi and danda, thus he tried to save him but fled for saving his life, after sometime when he enquired he came to know that his brother was admitted in a hospital, where he died during the course of treatment.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that informant alleges that he had gone to village Kathotiya searching his brother when he saw the named accused persons along with 4-5 unknown accused assaulting his brother and he tried to save him but fled for his life but then the informant did not inform the police that occurrence of the nature as alleged is taking place rather alleges that after sometime when he enquired then he came to know that his brother was admitted in a hospital, where he died which casts an aspersion on the case of the prosecution. It is also submitted that informant is not a complete eyewitness to the occurrence as he had fled from the place of occurrence and allegation of assault is also general and omnibus in nature. It is also submitted that in the nature of allegation as alleged in the FIR, the same is not inspiring



confidence. It is next submitted that as far as the impugned order records that one Sonu also died but then the FIR does not even remotely suggest that any allegation regarding assault of Sonu is also alleged. It is also submitted that similarly situated co-accused Sikandar Pal had approached this court seeking regular bail by filing Cr. Misc. No.5384 of 2025 and the same came to be allowed by an order dated 19.08.2025 by a learned coordinate Bench. It is further submitted that if privilege of regular bail is granted, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned APP for the State opposes the regular bail application of the petitioner.

6. Considering the submissions, the petitioner above named, is directed to be released on bail in connection with Bihariganj P.S. Case No. 257/2024, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj/concerned Court, subject to the conditions as mentioned under Section Section 482(2) of BNSS.

7. It is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the framing of charge or after framing of charge is trying to



delay the trial, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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