

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11281 of 2026

Arising Out of PS. Case No.-270 Year-2025 Thana- BIHARIGANJ District- Madhepura

Sumit Kumar Son of Dinesh Yadav Resident of Village - Tulsiya, P.S.-
Bihariganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Section 309(4) of the B.N.S.

3. As per prosecution case, on the alleged date of
occurrence two accused persons including petitioner looted
away cash of Rs.2, 50,000/- on the gunpoint from C.S.P. (S.B.I.)
run by informant's wife Laxmi Kumari with the help of her
husband, and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case merely on the basis of confessional statement of co-
accused Nitin Kumar @ Nitish Kumar. No incriminating article
has been recovered either from conscious possession of



petitioner or from his house. Similarly situated co-accused, namely, Md. Kabool has already been granted regular bail by a Coordinate Bench of this Court vide order dated 03.12.2025 passed in Cr. Misc. No.78406 of 2025. The charge sheet has already been submitted and there is no chance of absconding of the petitioner or tampering with the evidence. Petitioner has three criminal antecedents in which he is on bail. Petitioner is in jail since 30.07.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of the parties, allegation against the petitioner and the fact that similarly situated co-accused has already been granted regular bail by a Coordinate Bench of this Court and the period of custody undergone by him, let the above named petitioner be released on bail 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, Madhepura/concerned court in connection with Bihariganj P.S. Case No.270 of 2025 subject to the conditions that:

(i) One of the bailors shall be own/close family



member of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court concerned and shall remain physically present as directed by the Court concerned and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court concerned.

(Sunil Dutta Mishra, J)

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