

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11987 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- PHENHARA District- East Champaran

Madhurendra Singh @ Funnu Singh Son of Lalit Vihari Singh @ Lalit Singh
Resident of Village- Ibrahumpur Parsauni, P.S.- Phenhara/Fenhara, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar, Adv.
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
for the offence punishable under Sections 329(4), 109, 351(2),
352 of Bharatiya Nyaya Sanhita and Sections 25(1-B)(a) and 26
of the Arms Act.

3. It is alleged that petitioner threatened the informant
on gun point. Police recovered two country made pistols and
eight live cartridges from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. Further submission is that informant is habitual to
lodge the F.I.R. against the petitioner and his family members.
Nothing has been recovered from the conscious possession of
the petitioner. Petitioner is an H.I.V. positive patient. He next



submits that the alleged seizure list does not contain the L.T.I. or signature of the petitioner which is complete violation of provision of B.N.S.S., 2023. Petitioner is in custody since 15.11.2025. He has got three criminal antecedents in which, two cases are lodged by the informant and in all cases, petitioner is on bail. Petitioner undertakes to co-operate in the investigation and trial. There is no chance of tampering with the evidence or absconding of the petitioner.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submissions of learned counsel for the parties, petitioner is an H.I.V. positive patient and period of custody undergone, let the above named petitioner 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 learned Chief Judicial Magistrate, Motihari, East Champaran/concerned Court in connection with Phenhara/Fenhara P.S. Case No. 259 of 2025.

(Sunil Dutta Mishra, J)

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