

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12818 of 2026

Arising Out of PS. Case No.-354 Year-2025 Thana- PAKRIDAYAL District- East Champaran

Kamlesh kumar @ Kamlesh Mahto son of Chhathu Mahto Resident of village
- Sripur Nawada, Ward no. 4, Ps- Pakaridayal, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-04-2026 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Ms.Rina Sinha, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
28.07.2025 in connection with Pakridayal P.S. Case No. 354 of
2025, F.I.R. dated 27.07.2025 registered for the offence
punishable under Sections 103(1),303(2),118(1),3(5) of BNS.

3. Allegation against the petitioner is that he took
money of Rs. 70000/- and mobile phone from the son of the
informant and brutally murdered him and his body was hanged
from a tree.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. Although the
petitioner is named in the FIR but from a bare perusal of the FIR



it appears that merely on the basis of suspicion the name of the petitioner has been implicated in the present case. Learned counsel for the petitioner fairly submits that thereafter, the petitioner has confessed his guilt in the present occurrence in paragraph-7 of the case diary and except the aforesaid, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. The police, after investigation, submitted the chargesheet against the petitioner, even the charge has been framed on 12.12.2025 and the petitioner is in custody since 28.07.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and except the suspicion, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence, 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 learned A.C.J.M.-8th, East Champaran, Motihari in connection with Pakridayal P.S. Case No. 354 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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