

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21511 of 2026**

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

Binod Singh @ Binod Kumar Singh Son of Deopati Narayan Singh @  
Deopati Singh R/o Village - Jamuna, P.S. - Mohanpur, Dist. - Gayajee.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                   |
|----------------------------|-----------------------------------|
| For the Petitioner/s :     | Mr. Sanjay Kumar Singh, Advocate  |
| For the Opposite Party/s : | Mr. Nand Kumar, APP               |
| For the Informant :        | Ms. Richa Rajiv Singh, Advocate   |
|                            | Mr. Manish Kumar Paswan, Advocate |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      22-04-2026                      Heard Mr. Sanjay Kumar Singh, learned counsel for the petitioner, Ms. Richa Rajiv Singh, learned counsel for the informant and Mr. Nand Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is 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 126(2), 115(2), 118(1), 117(2), 118(2), 109, 74, 303(2), 351(3) and 3(5) of the BNS, 2023 and later on Section 103 of the BNS, 2023 was added.

3. According to prosecution case, all the accused persons including this petitioner have assaulted to the informant



and his family members due to which they received injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but from perusal of the FIR it appears that the specific allegation of assault against the deceased is attributed against the co-accused person, namely, Suraj Kumar and there is no allegation against the petitioner that he has assaulted the deceased. The only allegation against the petitioner is that he along with Malti Devi have assaulted to one Santosh Kumar. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Chandan Kumar & anr. have been granted bail by this Court vide order dated 23.03.2026 passed in Cr. Misc. No. 6471 of 2026. The petitioner is in custody since 17.10.2025.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the FIR it appears that the petitioner has participated in the present crime in question and he has assaulted to Santosh Kumar due to which he received injury and injury report suggest



that the injury is grievous in nature.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, specific allegation of assault against the deceased is against the co-accused Suraj Kumar as who has been granted bail by this Court as well as period of custody, 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 the learned SDJM, Sherghati, Gaya in connection with Mohanpur P.S. Case No. 394 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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)**

Vanisha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

