

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16773 of 2026

Arising Out of PS. Case No.-446 Year-2025 Thana- PHULPARAS District- Madhubani

Tuntun Kumar @ Surya Kumar S/o- Mukti Lal Yadav R/o - Murli, P.S -
Phulparas, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Arvind Kumar, learned counsel for the

petitioner and Mr. Mukesh Kumar Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.10.2025 in connection with Phulparas P.S. Case No. 446 of
2025, F.I.R. dated 25.10.2025 for the offences punishable under
Sections 308(3), 308(4) and 292 of the BNS, 2023 and Sections
3, 25 and 27 of the Arms Act.

3. According to prosecution case, this petitioner
filmed a video footage where he was holding weapon in his
hand and threatening people to pay extortion money.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner has been



made accused in the present case on the basis of video footage. He further submits that before lodging of the F.I.R the prosecution has not examined the genuineness of the video footage. It also appears from the F.I.R that no incriminating article has been recovered in the present case but the police have lodged the F.I.R under the Arms Act. Although it appears from the F.I.R that the petitioner has confessed that the person who is in the video footage is the petitioner itself. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 26.10.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the present case has been instituted on the basis of video footage and the petitioner has confessed his guilt in the present case and apart from that the petitioner carries three criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in



connection with Phulparas P.S. Case No. 446 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)

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