

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20951 of 2026

Arising Out of PS. Case No.-411 Year-2025 Thana- ATHMALGOLA District- Patna

Pappu Kumar S/O Binda Ray @ Birendra Prasad R/O vill - Ganjpar, P.S -
Athmalgola, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate
For the State : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Ashok Kumar Kashyap, learned counsel
for the petitioner and Mr. Md. Ataur Rahman, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
14.11.2025, in connection with Athmalgola P.S. Case No. 411 of
2025, F.I.R. dated 11.11.2025 registered for the offences
punishable under Sections 191(2), 191(3), 190, 132, 109(1),
324(4), 303(2) of the B.N.S.

3. The prosecution case, in brief, is that an
information was received about the persons being involved in
sale and purchase of liquor, it is stated that a raid was
conducted. While others managed to escape, two persons
including one Mukesh Kumar was arrested. However on an an
attempt by the police to test Mukesh Kumar with the Breathe



Analyzer machine, it is stated that he as also a large number of other persons started creating disturbance, pelting stones, thus damaging police vehicle and causing injuries. It is further stated that on enquiry and secret information, the name of 14 accused persons mentioned in the F.I.R. transpired as also there were 10-15 unknown accused persons.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and co-accused person, namely, Mukesh Kumar against whom the similar allegation has been granted bail vide order dated 15.01.2026 passed in Cr. Misc. No. 1368 of 2026 by a Coordinate Bench of this Court, another co-accused person, namely, Mantu Kumar @ Mintu Kumar has been granted bail vide order dated 20.02.2026 passed in Cr. Misc. No. 4450 of 2026 by a Coordinate Bench of this Court, another co-accused person, namely, Ashok Rai, Sukhdeo Rai @



Sukhdeo and Ranjit Kumar have been granted bail vide order dated 04.02.2026 passed in Cr. Misc. No. 6017 of 2026 and analogous cases by a Coordinate Bench of this Court, another co-accused person, namely, Nitish Kumar @ Ledhiya has been granted bail vide order dated 12.03.2026 passed in Cr. Misc. No. 13381 of 2026 by a Coordinate Bench of this Court. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 14.11.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation against the petitioner in the F.I.R. as well as similarly situated co-accused persons have been granted bail by a different Coordinate Benches of this Court, let the petitioner, above named, 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., Barh, Patna in connection with Athmalgola P.S. Case No. 411 of 2025, subject to the following conditions :-



(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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