

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24769 of 2026

Arising Out of PS. Case No.-385 Year-2024 Thana- MUNGER MUFFASIL District- Munger

Suraj Son of Santosh yadav Resident of Village - Mohalla Sitakund Dih, P.S. -
Muffasil.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 109 and 61(2) of BNS and Section 27 of the Arms Act.

3. The case of the prosecution is that on 30.10.2024, the informant after taking meal at night was going towards Sita Kund, he saw that his brother Md. Ali Akbar was sitting at tea shop. Thereafter, his brother along with 7-8 persons proceeded towards east then the informant asked him where you were going. One person namely, Lalji @ Lal Baboo who was along with brother of informant told the informant that they were going towards village Dih and they would return after attending a party. The brother of informant had gone towards village Dih



along with accused persons namely, Suraj the petitioner, Lalji @ Lal Baboo, Sudhanshu @ Shubham Paswan, Nikesh Kumar, Rahul Choudhary, Shirkant Chodhary, Sunny Kumar and Sonu Kumar. At late night, the informant tried to contact with his brother but mobile phone of his brother was found switched off. On searched on 31.10.2024, the informant came to know that his brother was found unconscious at the Bathan of Lalji @ Lal Baboo. When the informant reached there, he found that his brother was found soaked with blood and there was an injury on his right side of head. In the meanwhile, Bul Bul Devi came and threatened that her son and his associates assaulted him. The brother of informant was brought to Sadar Hospital, Munger from where he was referred to National Hospital, Munger and thereafter he was referred to Patna for better treatment. The informant believed that Bul Bul Devi and co-accused persons along with this petitioner have committed the offence under conspiracy and also helped her son Lalji @ Lal Baboo to escape.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on suspicion. There is no any specific allegation against the petitioner rather the nature of allegation is



general and omnibus. The petitioner has no concern with the alleged occurrence. There is no eye witness of the alleged occurrence. Learned counsel has further submitted that similarly situated several co-accused persons have been granted bail by learned co-ordinate Bench of this Court vide Annexure-P/2 series of this petition. Moreover, the petitioner is in custody since 24.12.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Muffasil P.S. Case No. 385 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger.

(Ashok Kumar Pandey, J)

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