

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40737 of 2026

Arising Out of PS. Case No.-333 Year-2026 Thana- BIHTA District- Patna

Sunil Kumar @ Sunil Rai s/O Jay Prakash Rai @ Jay Prakash Narayan @ Jay Prakash Singh R/O Village- Gulam Ali Chak, P.S- Bihta, Distt.- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate
	:	Mr. Abhay Kumar Singh
	:	Mr. Akash Kumar Mishra
For the Opposite Party/s	:	Mr. Yogendra Kumar, A.P.P.
For the Informant	:	Mr. Sanjay Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard learned Senior Counsel for the petitioner,

learned counsel for the informant and learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.04.2026 in connection with Bihta P.S. Case No. 333 of 2026
for the offences punishable under Sections 126(2), 115(2), 109,
303(2), 76, 352, 3(5) of the BNS.

3. That prosecution case is based on the typed
application of the informant namely Sanju Kumari alleging
therein that her husband namely Vishwanath Pratap Singh and
Dewar namely Rahul were present in her home and on
30.03.2026 at about 08.15 Hrs. co-accused Shankar Yadav,



Avinash Yadav @ Harendra and Prince Kumar along 04 to 05 unknown persons arrived to her house with deadly weapons and started to abuse, and they entered into the house and committed misbehave with her and snatched her Sari to outrage her modesty. In the meanwhile, her husband and dewar came to rescue, then they brutally assaulted them by means of iron-rod and lathi, causing fracture of head of her Dewar and he became faint and fell down on the ground. Further she alleged that when she and her children raised alarm, then they also snatched her Mangal Sutra and golden chain and they also took away the Splender motorcycle of her Dewar. On hearing alarm, the local people arrived and saved them, and they took her husband and Dewar at the clinic of Dr. Lalit Mohan Sharma. Accordingly, an F.I.R. has been instituted against 03 named accused persons along with 04-05 unknown persons in the concerned police station.

4. Learned Senior Counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It is next submitted that from bare perusal of the FIR it appears that specific allegation of assault is attributed against the co-accused persons, namely, Shankar Yadav, Avinash Yadav and Prince Kumar. It is next



submitted that initially the petitioner was not named in the FIR and the name of the petitioner has transpired during the course of investigation on the basis of reinstatement of the injured person, namely, Vishwanath Pratap Singh who has stated that petitioner has also participated in the present crime in question but the specific allegation of assault is against one co-accused Ravishankar Yadav.

5. The learned Additional Public Prosecutor for State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent, 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, Danapur or its available successor court in connection with Bihta P.S. Case No. 333 of 2026, 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)

Gaurav Sinha/-

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