

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50166 of 2026

Arising Out of PS. Case No.-728 Year-2025 Thana- AMARPUR District- Banka

Prakash Murmur @ Jai Prakash Murmur @ Prakash Murmu Son of
Kameshwar Murmur @ Kameshwar Murmu Resident of Village- Mahadev
Asthan, Nichla Tola, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in connection with Amarpur P.S. Case No. 728 of 2025
instituted for the offences punishable under Sections 191(2),
191(3), 190, 126(2), 115(2), 109(1), 132, 121(1), 121(2), 352
and 351(2) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant had
alleged that on secret information that some people are engaged
in illegal manufacturing and transportation of liquor, a raid was
conducted and when the police party reached there around 25-
30 persons variously armed with stick, iron rods and other
weapons including the petitioner along with 10-15 unknown



persons attacked the police party. It is further alleged that one of the homeguards namely Dasrath Yadav sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and his name is said to have been taken by the local Chowkidar. It has further been submitted that from plain reading of the FIR, it is clear that there is no specific allegation levelled against the petitioner and no incriminating article was recovered from the house of the petitioner. It has further been submitted that the injuries sustained by most of the informant's side were simple in nature barring the injuries sustained by one Dasrath Yadav, however in absence of any specific attribution the same cannot be saddled with the present petitioner. The petitioner is in custody since 29.03.2026. It has next been submitted that the similarly co-accused persons have been granted anticipatory bail on 28.01.2026 passed in Cr. Misc. No. 3350 of 2026, Cr. Misc. No. 2645 of 2026 and regular bail in Cr. Misc. No. 44253 of 2026.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for regular bail of the petitioner and submitted that the petitioner has got one criminal antecedent. Therefore, the petitioner does not deserve the privilege of regular bail.



6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Banka in connection with Amarpur P.S. Case No. 728 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

(Girijish Kumar, J)

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