

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.47412 of 2025

Arising Out of PS. Case No.-55 Year-2020 Thana- KALYANPUR District- East Champaran

Kamlesh Kumar @ Lalu @ Kamlesh Singh Rajput S/o Raghunath Singh R/O
Village- Chitariya, PS- Kotwa, District- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50957 of 2025

Arising Out of PS. Case No.-55 Year-2020 Thana- KALYANPUR District- East Champaran

Manu Singh @ Abhimanu Singh @ Abhimanyu singh @ Abhimanyu Kumar
Son of Rambabu Singh village- Chitriya, ps- Kotwa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47412 of 2025)

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

(In CRIMINAL MISCELLANEOUS No. 50957 of 2025)

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 16-03-2026 These two bail applications arising from the same

P.S. and they are being heard together and are disposed of by

this common order.

2. Heard Mr. Shashank Shekhar and Mr. Suraj Kumar

Tiwari, learned counsels for the petitioners and Mr. Aditya

Narayan Singh and Mr. Dr. Mrityunjaya Kumar Gautam,

learned APPs for the State.

3. Petitioners seek bail, who are in custody since

28.04.2025 and 14.05.2025 in connection with Kalyanpur P.S.



Case No. 55 of 2020, F.I.R. dated 05.03.2020 for the offences punishable under Sections 394 and 397 of the Indian Penal Code and section 27 of the Arms Act. Later on section 302 of the Indian Penal Code was added.

4. Allegation against the petitioners are that they along with other accused persons are alleged to have fired upon the daughter of the informant and looted the motorcycle.

5. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. Learned counsel further submits that the petitioners are not named in the FIR and their names have been transpired during investigation on the basis of confessional statement of co-accused persons, namely, Nitesh Kumar and Sonelal Kumar Yadav @ Sonelal Kumar. Thereafter, the petitioners have also confessed their guilt in the present occurrence. He further submits that the confession before the police is no value in the eye of law. Apart from the aforesaid, co-accused Sonelal Kumar Yadav @ Sonelal Kumar, who has disclosed the name of the petitioners has been granted bail by a coordinate Bench of this Hon'ble Court vide order dated 23.08.2021 passed in Cr. Misc. No. 10391 of 2021. He further submits that the petitioners are in judicial custody since



28.04.2025 and 14.05.2025.

6. Learned APP for the State has vehemently opposed the prayer for bail and submits that although the petitioners are not named in the FIR but their involvement have come during investigation. Petitioner, namely, Kamlesh Kumar @ Lalu @ Kamlesh Singh carries one more case other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter whereas petitioner, namely, Manu Singh @ Abhimanu Singh @ Abhimanyu singh @ Abhimanyu Kumar having clean antecedent.

7. Considering the aforesaid facts and circumstances of the case and also the fact that the petitioners are not named in the FIR, their names have been transpired on the basis of confessional statement of co-accused persons and similarly situated co-accused person, namely, Sonelal Kumar Yadav @ Sonelal Kumar has been granted regular bail by a coordinate Bench of this Hon'ble Court, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari/concerned court in connection with



Kalyanpur P.S. Case No. 55 of 2020, with the following conditions:

i. Petitioners 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 her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Ranjeet/-

U		T	
---	--	---	--

