IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51151 of 2026

CNR No. BRHC010736672026

Arising Out of PS. Case No.-629 Year-2023 Thana- GAURICHAK District- Patna

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1. Manish Kumar S/O Sri Jitendra Singh Resident of village- Lakhipur Koli, P.S.- Gaurichak, District- Patna
2. Santu Kumar @ Santosh Kumar S/O Sri Shailendra Singh @ Sailendra Kumar Singh Resident of village- Lakhipur Koli, P.S.- Gaurichak, District- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Purushottam Kumar, Advocate
Mr. Deepak, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, Advocate
For the Informant : Mr. Dheeraj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 27-10-2026 Heard learned counsel for the petitioners, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioners seek bail in connection with Gaurichak P.S. Case No. 629 of 2023, instituted for the offences punishable under Sections 341, 323, 506, 34, 365 of the Indian Penal Code in which subsequently Sections 302, 201 and 34 of the Indian Penal Code was added.

3. The prosecution case, in short, is that on 02.11.2023 at about 6:00 P.M., the informant's husband was allegedly surrounded and assaulted by the accused persons while

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proceeding towards Albakaspur, following which he went missing. It is further alleged that the accused persons threatened to kill the informant if she lodged a case, whereupon she approached the police.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners have not committed any such offence as alleged against them. The informant is not an eye witness to the alleged occurrence. It is further submitted that as per post-mortem report, it transpires that cause of death has been opined due to head injury caused by hard and blunt object. The allegation levelled against the petitioners are general and omnibus in nature. Petitioner no. 1 is in custody since 22.02.2026 and has got four criminal antecedents, whereas petitioner no. 2 is in custody since 28.02.2026 and has got two criminal antecedents as disclosed in paragraph no. 4 of the supplementary affidavit.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of

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bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail ***after framing of charge, if not already framed,*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gaurichak P.S. Case No. 629 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

8. The learned Court below is directed to take expeditious steps for framing of charge against the petitioners.

(Rudra Prakash Mishra, J)

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