

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60856 of 2025**

Arising Out of PS. Case No.-155 Year-2023 Thana- VISHNUPAD District- Gaya

Amarnath Singh @ Munna Singh @ Guddu Singh @ Mahendra Pratap  
Shwaine @ Mahendra Singh S/O Jamuna Singh R/O Village- Kendui, P.S-  
Magadh Medical, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Manish Kumar No.II, Advocate |
|                      | : | Mr. Aryan Singh, Advocate        |
| For the State        | : | Mr. Jitendra Kumar Singh, APP    |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

5      09-01-2026                      Heard Mr. Manish Kumar No.II, learned counsel  
for the petitioner and Mr. Jitendra Kumar Singh, learned APP  
representing the State.

2. The petitioner is in custody in connection with  
Sessions Trial No. 926 of 2023 arising out of Vishnupad P.S.  
Case No. 155 of 2023 for the offence punishable under sections  
302, 120(B) and 34 of the Indian Penal Code, lodged on  
24.05.2023 by the informant, Kartik Chandra Singh.

3. As per the prosecution story, the informant got  
information that his father is lying in a pool of blood near  
Manav Bharti School, was shifted to the Magadh Medical  
College and Hospital, Gaya where he succumbed to the injuries.  
The postmortem was conducted and the dead body was taken



for cremation. This followed the F.I.R.

4. Learned counsel for the petitioner submits that even going by the F.I.R., allegation is that in the CCTV footage one Dhiraj Kumar Singh @ Munchun Singh and another unknown person were the opened fire which led to the killing of informant's father. So far as the petitioner is concerned, the allegation is that due to family dispute, he always used to threaten the informant's father and as such is a conspirator.

5. He further submits that even accepting that he is a conspirator in the present case, as also that he has one criminal antecedent in which the petitioner got convicted, the allegation of opening of fire is not against him, trial has not concluded and he has remained in custody since 25.06.2023. If granted bail, shall be diligently appearing in the trial without fail and failure to do so, the prosecution can take steps for cancellation of the bail bond, if relief is granted.

6. Learned APP on the other hand opposes the prayer submitting that not only he stands convicted in a criminal case under section 395 of the I.P.C. and section 25 of the Arms Act beside section 9(B) of the Explosive Substance Act, in the present case, his role as conspirator which led to the killing of the informant's father cannot be denied.



7. A report was called for from the Trial Court which is on record vide letter no.873 dated 08.09.2025 according to which, the charges have been framed and only one witness out of nine charge sheet witnesses have been examined till 11.08.2025.

8. Considering the aforesaid facts as also that main allegation is against Dhiraj Kumar Singh @ Munchun Singh and an unknown person, the petitioner has remained in custody since 25.06.2023, an undertaking has been given that he shall be diligently appearing in trial and failure to do so that prosecution shall be free to take steps for cancellation of his bail bond, in that background, this Court is inclined to extend him the privilege of bail.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge 1<sup>st</sup>, Gaya, in connection with Sessions Trial No. 926 of 2023 arising out of Vishnupad P.S. Case No. 155 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to



show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance and at the end of the period a certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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