IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55239 of 2026

CNR No. BRHC010788632026

Arising Out of PS. Case No.-71 Year-2024 Thana- SIMRI BAKHTIYARPUR District-Saharsa

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Prince Kumar S/o Arjun Yadav @ Arjun Kumar R/o Village- Mariya, P.S-Basnahi, District- Saharsa

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Pawan Kumar, Advocate
For the Opposite Party/s : Mrs.Nirmala Kumari, APP
For the Informant : Mr. Madhav Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 06-11-2026 Heard Mr.Pawan Kumar, learned counsel for the petitioner and the Mr. Madhav Jha, learned counsel for the informant beside the State.

2. The petitioner is in custody in connection with Bakhtiyarpur P.S. Case No. 71 of 2024 for the offence punishable under Sections 302, 201, 120(B) of the Indian Penal Code and 27 of the Arms Act lodged on 20.02.2024 by the informant, Saroj Paswan.

3. As per the prosecution story, the informant (Chowkidar) informed that while moving in the orchard of Late Shyam Sundar Singh, found a person dead. Accordingly, Bakhtiyarpur P.S. Case No. 71 of 2024 was lodged. It came to

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the notice of the family of the deceased and they identified the body. Subsequently, the investigation started and arrived at the door of Saurav Kumar who gave the confession that this petitioner was having issue with the deceased inasmuch as he had opened fire causing injury to the petitioner. He accordingly made a plan along with his friends, Saurav included, Satish and Golden, the deceased was taken to the place, they consumed Ganja and, thereafter, while Saurav hit him on his head, Satish opened fire causing injury. This petitioner who had planned the entire conspiracy was regularly in touch and thereafter, directed Saurav to crush the SIM that has been used and leave the place.

4. Learned counsel for the petitioner submits that almost all the accused persons have been granted relief and the petitioner is in custody since 05.06.2024 (wrongly recorded in para-04 of the petition as 05.06.2026) which has been rectified by filing a supplementary affidavit and in para-04, it has been recorded that he is in custody since 05.06.2024. If granted relief, he shall be diligently appearing in trial and failure to do so for even one date, the prosecution shall be free to take step for the cancellation of the bail bond.

5. Learned counsel for the informant and the State on the other hand opposes prayer submitting that he was the

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person who was having enmity with the deceased and conspiracy was hatched in which the assault/death took place.

6. Considering the submissions of the parties aforesaid as also that the other accused persons have been granted relief, is in custody since 05.06.2024, he has no criminal antecedent, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 ADJ-IV, Saharsa in connection with S.T. No. 300,340/2024 arising out of Simiri Bakhtiyarpur P.S. Case No. 71 of 2024 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/Driving License/Voter ID/Pan Card etc.) to show his 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;

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(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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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