

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63119 of 2025

Arising Out of PS. Case No.-149 Year-2019 Thana- SURYAGARHA District- Lakhisarai

Nepali Pandit @ Nepali Son of Ramesh kumar Resident of Village- Auraiya,
P.S.- and District- Lakhisarai. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhumay Madhup, Advocate

Mr. Nilabh Ranjan, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 04-02-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Suryagarha P.S. Case No. 149 of 2019, registered for the offence

under Section 302/34 of the Indian Penal Code, 1860 and Section

27 of Arms Act.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 02.07.2025.

4. The allegation against the petitioner is to commit

murder of husband of the informant by causing firearm injury

alongwith other named co-accused persons due to previous

enmity.

5. Learned counsel appearing on behalf of the petitioner

submitted that from the facial perusal of FIR, it can be gathered

safely that the informant is not the *eye-witness* of the occurrence



and merely on the basis of suspicion arising out of previous enmity, petitioner alongwith other co-accused persons named with present crime in question. It is submitted that considering the aforesaid aspects, the co-accused Sujit Mahto was granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 65175 of 2019 dated 04.11.2019.

6. Arguing further, it is submitted by learned counsel that after investigation police submitted closure report against this petitioner but the learned Jurisdictional Magistrate taking a different note, took cognizance against this petitioner. It is submitted that the petitioner is in custody since last six months, without having any incriminating material against him. Petitioner claimed clean antecedent.

7. Learned APP while opposing the prayer of bail could not disputed the aforesaid factual submission.

8. Considering the aforesaid factual submissions and by taking note of fact as the police after investigation submitted closure report against petitioner coupled with the fact that similarly situated co-accused, namely Sujit Mahto has already granted bail by one of the learned co-ordinate Bench of this Court as discussed aforesaid, accordingly, petitioner above named, is directed to be released on bail in connection with Suryagarha P.S. Case No. 149



of 2019, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-II, Lakhisarai/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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