**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.65015 of 2026**

**CNR No. BRHC010949222026**

Arising Out of PS. Case No.-274 Year-2025 Thana- GAMAHARIYA District- Madhepura

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Manish Kumar Son of Harinarayan Mandal Resident of Village - Kaushalipatti Ward No. 08, P.S.- Pipra, District- Supaul

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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**Appearance :**
For the Petitioner : Mr. Barun Kumar Singh, Adv.
For the Opposite Party : Mr. Narsingh Tanti, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**

ORAL ORDER

5 06-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Gamhariya P.S. Case No.274 of 2025 registered for the offences punishable under Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'B.N.S.') and Section 27 of the Arms Act.

3. The petitioner is not named in the FIR and is in custody since 16.01.2026.

4. As per FIR, the husband of the informant, namely, Ravinder Sharma(deceased) was returning from his Aramill and when he reached near hanuman mandir, some

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unknown persons started firing upon him and, thereafter, the police officer were informed regarding the occurrence. It appears from FIR that, in a very serious condition, the husband of the informant was brought to the hospital, where during course of treatment, he died. On the basis of this circumstance, this FIR was lodged against unknown persons.

5. It is submitted by learned counsel for the petitioner that the informant is not the eye-witness of the occurrence. It is submitted that during course of investigation, CCTV footage was also seen, but no evidence/clue came out as to suggest the involvement of this petitioner. It is submitted that occurrence took place in the background of illicit relationship.

6. Arguing further, it is submitted that name of this petitioner transpired during investigation on the basis of confessional statement of co-accused Guddu Kumar, in furtherance of which nothing incriminating material recovered/surfaced during investigation as to connect this petitioner with present occurrence of murder. It is submitted that said Guddu Kumar has already been granted bail by one

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of the learned co-ordinate Bench of this Court through Cr. Misc. No. 47219 of 2026, dated 01.09.2026 and, therefore, as a matter of judicial parity, this petitioner also deserves bail. Explaining criminal antecedent, it is submitted that petitioner found involved in two more criminal cases, where in one case closure report was submitted by the police, which was accepted by learned jurisdictional magistrate and, therefore, effectively only one case is pending against this petitioner.

7. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail could not disputed the aforesaid factual submission as advanced by learned counsel for the petitioner.

8. In view of aforesaid factual submissions and by taking note of fact as prima-facie except suspicion arising out of confessional-statement of co-accused Guddu Kumar, nothing incriminating surfaced as to connect this petitioner with present occurrence of murder coupled with the fact that investigation of this case has already been concluded, wherein petitioner remains in custody since 16.01.2026,

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accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-III, Madhepura, in connection with Gamhariya P.S. Case No.274 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

**(Chandra Shekhar Jha, J.)**

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