IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66224 of 2026

CNR No. BRHC010954032026

Arising Out of PS. Case No.-528 Year-2024 Thana- DHANARUA District- Patna

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Vinay Kumar @ Mantus Prasad @ Matus Prasad S/o Late Ramanand Singh R/o Village- Lacchubigha, PS- Dhanarua, District- Patna

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Rakesh Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 20-11-2026 Heard Mr. Krishna Prasad Singh, learned Senior Counsel for the petitioner and Dr. Ajeet Kumar, learned A.P.P. for the State.

2. Petitioner seeks bail who has been in custody since 13.08.2025 in connection with Dhanarua P.S. Case No. 528 of 2024 for the offences punishable under Sections 103(1), 109(1), 126(2), 115(2), 118(1), 352, 351(2), 3(5) of BNS and Section 27 of the Arms Act.

3. That as per prosecution case is in brief, is that the informant in his written complaint stated that on 06/09/2024, morning 8:00 Hours, due to drainage dispute, the Co-Accused Chandan Kumar abused him and called some persons over

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phone and went away. It is alleged that at about 8:15 Hours, he again came at his house and all named accused persons including petitioner armed with weapons started committing maarpeet with the informant. It is specifically alleged that accused/Petitioner Vinay Kumar @ Mantus Prasad and Co-Accused Chandan Kumar have assaulted by means of lathi to the informant resulting into informant sustained severe head injury and also sustained injuries below knee of left leg. And it is specifically alleged that in course of saving of the informant, when his mother came, she also sustained head injury assaulted by means of lathi by the accused/Petitioner Vinay Kumar @ Mantus Prasad. Who allegedly assaulted with intention to kill her. It is alleged that mother of the informant succumbed at the place of occurrence of itself. It is further alleged that the accused Vinod Singh made firing from country-made pistol. That it is stated that the injured person is being treated. With this allegation the case was lodged against the five named accused persons including the petitioner.

4. Learned Senior Counsel for the petitioner submits that earlier bail petition of the petitioner was rejected vide order dated 27.01.2026 passed in Cr Misc. No. 81344 of 2025. Learned Senior Counsel for the petitioner submits that petitioner

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has been in custody since 13.08.2025 i.e., more than one year and the trial has not been progressed. It is next submitted that *vide* order dated 18.09.2026, a report was called for with regard to the stage of the trial. The report of the learned trial court dated 09.10.2026 reveals that out of seven charge-sheet witnesses, only one witness has been examined. Learned Senior Counsel for the petitioner submits that in view of the report of the learned trial court, the trial is not likely to be concluded in the near future.

5. The learned Additional Public Prosecutor, appearing on behalf of the State, has vehemently opposed the prayer for bail made by the petitioner and submits that petitioner has antecedent of one case.

6. Considering the aforesaid facts and circumstances as well as the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Masaurhi, District-Patna in connection with Dhanarua P.S. Case No. 528 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court

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and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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