IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66872 of 2026

CNR No. BRHC010962362026

Arising Out of PS. Case No.-91 Year-2026 Thana- LAUKAHA District- Madhubani

==========

1. Gaurav Surana S/o Anil Surana R/o Village and PS- Laukahi, District- Madhubani
2. Anil Surana S/o Late Lakshmi Chand Surana @ Late Lakshmi Chandra Surana R/o Village and PS- Laukahi, District- Madhubani

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

==========

Appearance :
For the Petitioner/s : Mr. P.K. Shahi, Sr. Advocate
Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.
For the Informant : Mr. Shailendra Kumar Jha, Advocate

==========

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 04-11-2026 Heard Mr. P.K. Shahi, learned Senior Counsel for the petitioners, Mr. Shailendra Kumar Jha, learned counsel for the informant and Mr. Abhay Kumar Roy, learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who is in custody since 18.04.2026 in connection with Laukaha P.S. Case No. 91 of 2026 for the offences punishable under Sections 103(1) and 3(5) of the BNS, 2023.

3. The prosecution case, in brief, is that on 17.04.2026, at about 7:10 P.M., Md. Manjar informed the informant's son over mobile phone that his brother, namely Md.

WEB COPY

Nadim, had sustained injuries in an alleged tractor accident and that his condition was critical. He further informed that the injured had been admitted to Laukahi Hospital. Upon receiving the information, the informant immediately rushed to Laukahi Hospital, where he found his son lying on a stretcher and was informed that he had already succumbed to his injuries. In the meantime, Md. Salim also arrived at the hospital and disclosed to the informant that the deceased, Md. Nadim, had demanded payment from the petitioners, whereupon the petitioners allegedly assaulted him with an iron rod, striking him on the head. Md. Salim further disclosed that the petitioners had killed the informant's son.

4. Learned Senior Counsel appearing on behalf of the petitioners submits that petitioner no. 1 has one criminal antecedent, whereas petitioner no. 2 has two criminal antecedents, apart from the present case. It is contended that both the petitioners have been falsely implicated in the present case. It is further submitted that the petitioners are related to each other as son and father and have been falsely implicated on the basis of a concocted prosecution story at the instance of the SHO, Laukaha Police Station. Learned Senior Counsel for the petitioners further submits that petitioners have falsely been

WEB COPY

implicated in the present case by the informant at the instance of the Investigating Officer-cum-SHO, Laukaha Police Station who is informant in Laukaha P.S. Case No. 204 of 2025 which was instituted against the petitioners, in connection with which the petitioners have preferred Criminal Writ Jurisdiction Case No. 804 of 2026. Owing to the aforesaid circumstances, the Investigating Officer-cum-SHO and his superior officer have allegedly given a different colour to what was, in fact, an accidental occurrence, and have falsely dragged the petitioners in the present case. Learned Senior Counsel for the petitioners further submits that it has come during the investigation in paragraphs 17, 69, 78 and 83 of the case diary that the deceased died as a result of an accident and the petitioners had no role whatsoever in the alleged occurrence. It is contended that, on the alleged date of occurrence, the son of the informant died in a tractor accident within the premises of the brick kiln owned by the petitioners. The deceased was the driver of the tractor and sustained injuries while driving the said vehicle, which had overturned. It is next submitted that the police after investigation has submitted charge-sheet and petitioners have been in judicial custody since 18.04.2026.

5. The learned Additional Public Prosecutor for State

WEB COPY

and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submit that the petitioners are involved in the present crime in question and a number of witnesses have supported the case of prosecution.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 SDJM, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case No. 91 of 2026, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for

WEB COPY

cancellation of bail bond of the petitioners. 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/-

U		T	

WEB COPY