

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64204 of 2025

Arising Out of PS. Case No.-368 Year-2025 Thana- PIRBAHOR District- Patna

Shubhankar Kumar @ Saurav Kumar Son of Sanjay Kumar Resident of
Village - Pariyari, P.S.- Kinjar, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 67983 of 2025

Arising Out of PS. Case No.-368 Year-2025 Thana- PIRBAHOR District- Patna

Deepak Kumar S/o- Shri Manoj Kumar R/v- Sanda Ps- Tekari Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 64204 of 2025)
For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 67983 of 2025)
For the Petitioner/s : Dr. Koushlendra Narayan, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-01-2026 Since both the applications arise out of Pirbahore P.S.

Case No. 368 of 2025, as such, they have been taken up together

and are being disposed of by this common order.

02. Heard learned senior counsel appearing on behalf

of the petitioner-Shubhankar Kumar @ Saurav Kumar as well as

learned counsel for the petitioner-Deepak Kumar and learned



APPs for the State.

03. In the present case, the petitioners seek bail in connection with Pirbahore P.S. Case No. 368 of 2025 registered for the alleged offences under Section 109(1) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 and later on added Section 103(1) of BNS and Section 3 & 4 of the Explosive Substance Act.

04. As per prosecution case, during examination being conducted in B.N. College, Patna, some miscreants hurled bombs and one student got injured who, later on, succumbed to his injuries. The name of the petitioners transpired during investigation for being involved in the occurrence of hurling bombs and causing death of a student.

05. Learned senior counsel appearing on behalf of the petitioner-Shubhankar Kumar @ Saurav Kumar submits that the petitioner is innocent and has been falsely implicated in this case. Learned senior counsel further submits that there is no material to show the involvement of the petitioner in the alleged occurrence. Except for confessional statement of the petitioner, nothing has come up on record to make out a case against the petitioner. Though there is allegation that the petitioner had been manufacturing bombs in his hostel room, nothing was recovered



or seized even after recording of confessional statement. Learned senior counsel further submits that the FIR has been lodged after delay of more than five hours when the police station is just adjacent to the college and it was sent to the learned Magistrate after delay of three days. Learned senior counsel further submits that the petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 18.05.2025 and charge-sheet has been submitted.

06. Learned counsel appearing on behalf of petitioner-Deepak Kumar, adopting the argument of learned senior counsel, submits that the petitioner is not even the student of B. N. College and there is no question of petitioner residing in the hostel. Learned counsel further submits that the police, very conveniently, recorded the confessional statements of the petitioner and other co-accused persons and extracted the names of each other in the confessional statements recorded for different persons. Learned counsel further submits that even in confessional statement, there is no allegation that this petitioner along with petitioner-Shubhankar Kumar threw bombs which killed one of the students of the college as the allegation for which is against co-accused Shivam Kumar. Learned counsel further submits that the petitioner is student of Bachelor of



Commerce in Vanijya Mahavidyalaya. Learned counsel further submits that the petitioner is having antecedent of three cases. The petitioner is in custody since 18.05.2025 and charge-sheet has been submitted.

07. Learned APPs for the State oppose the submission made on behalf of the petitioners. Learned APPs submit that, during investigation, the name of the name of the petitioners surfaced for being involved in the occurrence in which one student lost his life. The petitioners appear to be criminal by nature and they are having antecedents of one case and three cases, respectively.

08. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material to show the connection of the petitioners with the occurrence as alleged and also considering their occupation and further considering the period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna/court concerned in connection with Pirbahore P.S. Case No. 368 of 2025, subject to



the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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