

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74793 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- RAHUI District- Nalanda

Suraj Kumar @ Suraya Kumar S/o Nageshwar Yadav Resident of - Beldhana,
P.S - Chandi, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 309(6) of B.N.S. and
Section 27 of the Arms Act.

3. The case of the prosecution is that the informant
was returning on his bike and as he reached near Bhandari,
State Highway-78, he was intercepted. It is further alleged that
he was being fired at and his bike was taken away by the
miscreants.

4. Learned counsel for the petitioner submits that
the First Information Report had been lodged against unknown
and the name of the petitioner transpired on the basis of
confessional statement of co-accused, Bharat Kumar during the



course of investigation, which has no evidentiary value. It is further submitted that there has been no recovery from the possession of this petitioner and he was also not put on T.I. parade. It is pointed out that co-accused, Dhanju Kumar whose name also transpired on the confessional statement of the co-accused, Bharat Kumar, has already been granted the privilege of regular bail by a Co-ordinate Bench of this Court vide order dated 09.10.2025 passed in Cr. Misc. No.70820 of 2025. The petitioner is in custody since 13.06.2025 and charges have already been framed.

5. Learned APP for the State opposed the grant of bail on the ground that the petitioner is a habitual criminal and has criminal antecedents. In response, however, it is submitted that petitioner is on bail in all the other cases.

6. Taking into consideration the facts and circumstances and considering the fact that the case against the petitioner rests on the face of confessional statement of co-accused, coupled with the fact that similarly situated co-accused has been granted privilege of regular bail by a Co-ordinate Bench of this Court, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Chief Judicial Magistrate,
Biharsharif/concerned Court below in connection with Rahui
P.S. Case No. 128 of 2025 subject to condition that:-

(i) The petitioner shall remain physically present in
court on each and every date during trial and in the event of
failure on two consecutive dates without sufficient reasons, his
bail bonds shall be liable to be cancelled by the learned court
concerned.

7. However, before accepting the bail bonds of the
petitioner, the Court concerned would ensure that the charges
have been framed, as such submission has been made before
this Court.

(Soni Shrivastava, J)

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