

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72989 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- SULTANGANJ District- Bhagalpur

Amar Kumar @ Amar Bind Son of Ashok Bind Resident of village - Shiv
Nandanpur, P.S.- Sultanganj, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Md. Najmul Hodda, Adv Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :		Mr. Pramod Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 18-04-2026 Heard Mr. N.K. Agarwal, learned senior counsel for
the petitioner and Mr. Pramod Kumar Pandey, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
08.04.2024 in connection with Sultanjganj P.S. Case No.
68/2024 F.I.R. dated 17.02.2024 (S.T. Case No. 378/2025) for
the offences punishable under Sections 302 read with Section 34
of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, the petitioner and
the co-accused persons holding lethal weapons are alleged to
have surrounded the house of the informant and started firing
indiscriminately and the co-accused Viswanath Bind exhorted to
kill, thereafter, Natuwa Bind and Randhir Bind caught hold of



the informant's son and the petitioner Amar Bind inflicted blow of iron *khanti* on his stomach, causing injury. On being objected by the informant, the co-accused Sawan Bind assaulted him with an iron rod, causing injury and they fled away by firing in the air. Further, the injured were taken to hospital where the informant's son succumbed to the injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Learned counsel has further submitted that the petitioner is in custody since 08.04.2024. He has further submitted that the trial is not in progress.

5. Vide order dated 19.03.2026 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 01.04.2026 reveals that out of sixteen charge sheeted witnesses till date eight witnesses have been examined and cross examined by the prosecution.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter. It is further submitted that from perusal of the FIR, it



appears that specific allegation is against the petitioner that he has inflicted iron khanti on the stomach of the deceased and the other co-accused persons have made firing in the air and later on the the deceased has died which suggests that there is direction allegation against the petitioner and the same was supported by the number of prosecution witnesses during investigation.

7. Considering the nature of allegation and FIR supported by the witnesses as per report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sultanjganj P.S. Case No. 68/2024 F.I.R. dated 17.02.2024 (S.T. Case No. 378/2025) pending in the court of learned District and Additional Sessions Judge-VIII, Bhagalpur.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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