

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74969 of 2025

Arising Out of PS. Case No.-187 Year-2024 Thana- TELHARA District- Nalanda

Surendra Prasad @ Sulendra Kumar S/O Shibalak Mahto R/O Village-
Pirodha, PS- Okari, Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Parmanand Prasad, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP
For the Informant : Mr. NityaNand Neeraj, Advocate
Ms. Kumari Anjani Sinah, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-03-2026 Heard Mr. N.K. Agrawal, learned senior counsel for
the petitioner, Mr. NityaNand Neeraj, learned counsel for the
informant and Mr. Yogendra Kumar Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.05.2025 in connection with Telhara P.S. Case No. 187 of
2024, F.I.R. dated 31.12.2024 for the offences punishable under
Section 103(1) of the BNS, 2023 and Section 27 of the Arms
Act.

3. According to prosecution case, this petitioner along
with other accused persons due to some earlier dispute have
killed the husband of the informant who also happens to be



petitioner's own brother.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact, the petitioner is own brother of the deceased and on the basis of suspicion he has been made accused in the present case. There is no eye witness of the alleged occurrence and after the petitioner was arrested he has confessed his guilt and except the aforesaid, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 05.05.2025.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has committed the crime in question and he has also confessed his guilt before the police and apart from that the trial has begun and two prosecution witnesses have been examined who have supported the case of the prosecution.



6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and except the confessional statement no other material has come during investigation which suggest the involvement of the petitioner in the present case, 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 District & Sessions Judge-I, Hilsa (Nalanda) in connection with Telhara P.S. Case No. 187 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 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)

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