

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76431 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- KHAGARIA District- Khagaria

Chunchun Kumar S/O Amirka Mahto @ Amir Mahto Resident of Village-
Jahangira Shobhani, P.S- Gangour, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bambam Kumar, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2026 Heard Mr. Bambam Kumar, learned counsel for
the petitioner as well as Ms. Shaheen Begum, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.04.2025 in connection with Khagaria (Gangour) P.S. Case
No. 136 of 2025, F.I.R. dated 28.04.2025 for the offences
punishable under Sections 103(1), 3(5) of the Bharatiya Nyay
Sanhita, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, the informant
alleged that the petitioner along with other co-accused persons
killed his son by gunshot.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The petitioner is not named in the



FIR and his name transpired during investigation on the basis self-confessional statement of the petitioner and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. From bare perusal of the self-confessional statement of the petitioner which was recorded in the case diary, it appears that co-accused persons, namely, Vikas Kumar and Rishabh Kumar and the petitioner was present at the place of occurrence. He further submits that confessional statement before the police has no evidentiary value and police after investigation submitted the charge sheet and the petitioner is in custody since 29.04.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner is not named in the FIR and his named transpired on the basis of his confessional statement, 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 C.J.M., Khagaria in connection with Khagaria (Gangour) P.S. Case No. 136 of 2025, 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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