

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78857 of 2025

Arising Out of PS. Case No.-1465 Year-2023 Thana- DANAPUR District- Patna

Surdas @ Pintu Kumar Son of Jawahar Mahto Resident of Mohalla-
Mainpura, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Ravi Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr. Akash Kumar Mishra, learned counsel for the petitioner, Mr. Ravi Raj, learned counsel for the informant and Mr. Sanjay Kumar Tiwary, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 24.05.2025 in connection with Danapur P.S. Case No. 1465 of 2023, F.I.R. dated 23.11.2023 for the offences punishable under Sections 302/34 of the IPC.

3. According to prosecution case, this petitioner along with other accused persons have killed the son of the informant because he has done inter caste marriage.

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. It appears from the F.I.R itself that the informant is not the eye witness of the alleged occurrence and even no one has seen the occurrence and except the confessional statement of the co-accused person, nothing 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. He further submits that similarly situated, co-accused, namely, Akhilesh Singh has been granted bail by a co-ordinate Bench of this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 82598 of 2024 and another co-accused, namely, Randhir Kumar @ Randheer Kumar has also been granted bail by a Co-ordinate Bench of this Court vide order dated 18.10.2024 passed in Cr. Misc. No. 35169 of 2024. The petitioner is in custody since 24.05.2025.

5. 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 it has come during investigation and on the basis of confessional statement of the co-accused that the petitioner along with other accused



persons have killed the victim.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the similarly situated co-accused persons have been granted bail by a Co-ordinate Bench of this Court, 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 ACJM-I, Danapur, Patna in connection with Danapur P.S. Case No. 1465 of 2023, 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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