

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83822 of 2025

Arising Out of PS. Case No.-268 Year-2024 Thana- NAUGACHIA District- Bhagalpur

Sunil Kumar @ Guddu @ Gudda S/o- Late Mahendra Mandal @ Late Mahindra Mandal Resident of Village-Pakra, Laxmipur, Police Station- Naugachia, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-01-2026 Heard Mr.Amrendra Kumar, learned counsel for the petitioner and Mr.Uma Shankar Prasad Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 18.06.2025 in connection with Naugachia P.S. Case No. 268 of 2024, F.I.R. dated 18.08.2024 registered for the offence punishable under Sections 312,103(1),3(5) of BNS and 27 of Arms Act.

3. According to prosecution case, Ramesh Mandal shot at the deceased Toksan Kumar in his head. Rajesh Mandal also fired on the informant which did hit him. The petitioner is not named in the F.I.R.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Sachin Kumar and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Although there is specific allegation of firing attributed against co-accused person, namely, Ramesh Mandal that he has fired upon the victim and the co-accused person, namely, Sachin Kumar @ Murga, who has confessed the name of the petitioner, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 06.03.2025 passed in Cr. Misc. No.10815 of 2025 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.06.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on



the basis of the confessional statement of co-accused person, namely, Sachin Kumar and said co-accused person has been granted bail by a Coordinate Bench of this Hon'ble 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 learned A.C.J.M.-1st, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 268 of 2024, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

U		T	
---	--	---	--

