

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85585 of 2025

Arising Out of PS. Case No.-750 Year-2023 Thana- DHANARUA District- Patna

Sunil Kumar Son of Late Jagat Narayan Prasad Resident of Village - Dost
Muhammadpur, P.S.- Dhanarua, Dist.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dineshwar Mishra, Advocate
		Ms. Ruchi Arya, Advocate
For the Opposite Party/s :		Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 18-04-2026 Heard Mr. Dineshwar Mishra, learned counsel for
the petitioner and Mr. Bharat Lal, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.09.2024 in connection with Dhanarua P.S. Case No.
750/2023, F.I.R. dated 04.12.2023 for the offences punishable
under Sections 341, 323, 307, 379, 504 and 506 read with
Section 34 of the Indian Penal Code and later on Section 302 of
the Indian Penal Code was added on 19.12.2023.

3. According to prosecution case, the informant,
namely, Anil Kumar alleged that the petitioner including all the
FIR named accused persons assaulted the mother of the
informant (Gajmati Devi) by iron rod and also took out Rs. 2



lakhs kept in box for the purpose of niece marriage for which case has been lodged and the accused persons went to jail that time but after coming out from jail accused persons started abusing regularly and also gave threat to kill.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It appears from the F.I.R. that the allegation against the petitioner is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel has submitted that this case has arisen due to land dispute between the petitioner and the informant. The informant is full brother of the petitioner.

5. Vide order dated 25.03.2026 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 01.04.2026 reveals that the charge has been framed on 09.04.2025 and out of eight witnesses named in the charge-sheet, two witnesses have already been examined. Summons has been already issued to witnesses. Trial is likely to be concluded within four months. Now, the case is fixed on 02.04.2026 for prosecution's evidence.

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. Learned counsel has submitted that the specific allegation of assaulting the deceased is against the petitioner and the deceased happens to be the mother of the petitioner. As per the Post Mortem Report, the cause of death is haemorrhage and shock, the injury no. 1 and 3 were caused by hard and blunt object whereas the injury no. 2 was caused due by rajor sharp and pointed object.

7. Considering the aforesaid fact that there is specific allegation of assaulting the deceased against the petitioner which is supported by the post mortem report, I am not inclined to enlarge the petitioner on bail in connection with Dhanarua P.S. Case No. 750/2023 pending in the court of learned Judicial Magistrate I/C at Masaurhi, Patna.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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