

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84805 of 2025

Arising Out of PS. Case No.-246 Year-2025 Thana- PAKARIBARAW District- Nawada

Nandan Kumar @ Sukesh Kumar Son of Sargug Yadav R/O Village -
Hasanganj, P.S.- Pakaribaraw, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Ms. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-01-2026 Heard Mr. Y.C. Verma, learned senior counsel for

the petitioner and Mr. Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
2306.2025 in connection with Pakaribaraw P.S. Case No. 246 of
2025, F.I.R. dated 23.06.2025 for the offences punishable under
Sections 103 and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner armed with deadly weapons
have brutally assaulted the informant's father resulting into his
death.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that there is admitted land dispute between the parties and on the spur of moment the petitioner has assaulted the deceased along with other accused persons. Although the postmortem report attributes the cause of death from multiple lacerated wounds and skull fractures caused by hard and blunt force directed at the head. He further submits that it appears from the F.I.R that the F.I.R instituted on 22.06.2025 at 3:30am but the inquest report was prepared on 22.06.2025 at 11:45pm which suggest that before the institution of the F.I.R, the inquest report was prepared by the prosecution, only to falsely implicate the petitioner. A partition suit bearing Partition Suit No. 113 of 2024 is ongoing between the parties. There is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons that they assaulted the deceased by means of *Kudal* where the petitioner has also participated in the present crime in question. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 23.06.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and



submits that the anticipatory bail application of the co-accused, namely, Kanti Devi @ Kranti Devi has been rejected by a Co-ordinate Bench of this Court.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, inquest report was prepared before the institution of the F.I.R, both the parties are agnate to each other and one partition suit is pending between the parties, 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-II, Nawada in connection with Pakaribaraw P.S. Case No. 246 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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