

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1183 of 2026**

Arising Out of PS. Case No.-313 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

Kishan Kumar S/O Kedar Singh @ Kedar Nath Singh Village- Kauria Tole,  
Fateh Rai, P.S.- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                               |
|----------------------------|-----------------------------------------------|
| For the Petitioner/s :     | Mr. Ajay Kumar Thakur, Kr. Shaswat Anand, Adv |
| For the Opposite Party/s : | Mr. Shailendra Kumar Singh, A.P.P.            |
| For the Informant :        | Mr. Bindhyachal Singh, Sr. Advocate           |
|                            | Mr. Aakash Singh, Advocate                    |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      15-05-2026                      Heard learned counsel for the petitioner, learned A.P.P. for the State and learned senior counsel appearing on behalf of informant.

2. The petitioner seeks bail in Bhagwanpur Hat P. S. Case No. 313 of 2025 registered for offences under Sections 190, 191, 192, 126(2), 127(2), 115(2), 118(2), 109, 103, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per F.I.R., it is specific case of informant that co-accused Satrugan Singh assaulted on the head of Munna Singh with *Farsa*, as a result of which, he fell down and thereafter, this petitioner along with other co-accused persons also assaulted him, as a result of which, he died. It is further



alleged that this petitioner assaulted on the head of Vicky Kumar with sword.

4. Learned counsel for the petitioner submits that specific accusation of assault is against co-accused Satrugan Singh, who caused the fatal injury on the head of deceased. Allegation against petitioner of assaulting the deceased is general and omnibus and there is no injury report on record regarding the injury caused to Vicky Kumar, which itself falsifies the allegation levelled against petitioner. Petitioner is in custody since 29.07.2025. Chargesheet has been submitted.

5. Learned senior counsel for the informant vehemently opposes the prayer for bail and submits that bail application of co-accused Kalyan Kumar @ Kalyan Rawat has already been rejected by this Court, *vide* order dated 27.01.2026 passed in Cr. Misc. No. 82718 of 2025 and petitioner's case stands on similar footing and as such, no favourable order is required to be passed in this case.

6. In response thereto, learned counsel for the petitioner submits that in the case of Kalyan Kumar (*supra*), post-mortem report of deceased was not brought to the notice and discussed and as such, petitioner's case cannot be equated with said case. In post-mortem report, only one head injury was



found and rests are superficial in nature, caused due to fall after head injury. Cause of death is head injury. He further submits that in F.I.R., there is no mention about weapon, which was used by this petitioner.

7. Considering the facts & circumstances of the case as well as period of custody, let the above named petitioner 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 Chief Judicial Magistrate, Siwan / concerned Court in connection with Bhagwanpur Hat P.S. Case No. 313 of 2025 with following conditions:-

“(i) One of the bailors shall be close relative of the petitioner.

(ii) Petitioner shall cooperate in the trial and shall remain physically present on each & every date, as fixed by the Trial Court, and on his absence on two consecutive dates, without prior permission/sufficient reason, his bail-bond shall liable to be cancelled by the Court concerned.”

**(Prabhat Kumar Singh, J)**

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