

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91076 of 2025

Arising Out of PS. Case No.-479 Year-2023 Thana- SABAUR District- Bhagalpur

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Sameer Singh Son of Late Ram Keshar Singh Resident of Village- Rattichak,
P.S.- Goradih, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with S.T. No. 439 of 2025 arising out of Sabour (Goradih) P.S. Case No. 479 of 2023 registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

3. As per the prosecution case, the father of the informant was allegedly killed by unknown persons. The informant has raised suspicion with regard to certain persons, including the petitioner that they might have been involved in the said occurrence.

4. Learned counsel for the petitioner submits that it is only on the suspicion being raised by the informant that the



petitioner has been implicated in this case. It has further been submitted that during the course of investigation, it has specifically come in paragraph 78 of the case diary that the eyewitness namely Deepak Singh had seen Govind Singh and one Shekhar Singh, committing the crime. It has been submitted that in the impugned order, the learned Additional Sessions Judge committed an error stating that it was on the identification of this petitioner that the spade which was used in the crime has been used. From the said paragraph, it is evident that from identification of the co-accused, Govind Singh and confirmed by Sekhar Singh that the said recovery was made and therefore, the rejection of the prayer of the bail of the petitioner was also not correct on such erroneous finding of fact as stated in the impugned order. It has further been submitted that the co-accused namely Shekhar Singh has been enlarged on bail by a coordinate bench of this court by order dated 31.07.2024, passed in Cr. Misc. No. 35940 of 2024. It has lastly been submitted that the petitioner has one criminal antecedent that too for offences under the Excise Act and he is in custody since 04.01.2025 in the present case.

5. The learned APP for the state has vehemently opposed the prayer for bail and submitted that the name of the



petitioner has transpired during investigation as one of the co-accused in the alleged killing of the father of the informant.

6. Considering the aforesaid submission, facts and circumstances of the case, 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 court below where the case is pending/successor court in connection with S.T. No. 439 of 2025 arising out of Sabour (Goradih) P.S. Case No. 479 of 2023 subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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