

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92024 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- KANKARBAG District- Patna

Suraj Kumar Mahto S/O late Harendra Mahto R/O Tripoilia, Near Noorani
Bagh Colony Park, P.S- Alamganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Abhimanyu Deo
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 503-04-20261. Heard the parties.
2. This is third attempt for regular bail on behalf of the petitioner in connection with Kankarbagh P.S. Case No. 237 of 2024 dated 04.04.2024 registered for the offence under Section 302, 34 of the I.P.C. and Section 27 of the Arms Act.
3. This court while rejecting the application of the petitioner earlier vide order dated 13.12.2024 passed in Cr. Misc. No. 78762 of 2024 granted liberty to the petitioner to renew his prayer for bail after one year if the trial does not show any substantial progress.
4. As per the prosecution case the brother of the informant working as a vendor in Anamika Indane Gas Agency was shot dead by two unknown persons, who was riding on a motorcycle. The petitioner was driving the motorcycle on which the shooter



was sitting who shot dead the informant's brother.

5. Learned counsel for the petitioner submits that petitioner has been implicated in this case on the basis of the fact that he was driving the motorcycle at the time of occurrence when the pillion rider Sandeep Kumar Yadav shot the informant's brother dead on the road. Learned counsel next submits that the motorcycle in question does not belong to the petitioner and the co-accused Sandeep Kumar Yadav without informing the petitioner about his intention to kill somebody told the petitioner to drive the motorcycle belonging to his sister. In the confessional statement also the co-accused Rahul Kumar did not disclose the name of the petitioner as one of the conspirators of the offence. The money which was paid for killing the deceased was given by Rahul Kumar. The petitioner is having no criminal antecedent and he is in custody since 06.04.2024.

6. On the other hand, learned counsel for the informant opposed the prayer for bail and submits that the petitioner is the friend of the main accused Sandeep Kumar Yadav and he has been seen in the CCTV footage along with Sandeep Kumar Yadav at the time of occurrence driving the motorcycle.

7. I have heard learned counsel for the parties and gone through the report submitted pursuant to the order passed by this



court on 09.01.2026 regarding the present stage of the trial. The report has been submitted by J.M.F.C.-02, Patna vide letter no. 107 dated 12.02.2026 in which it has been stated that on 16.02.2026 the case has been committed to the court of session.

8. Considering the submissions made by the parties, the fact that this is third attempt for bail on behalf of the petitioner, the petitioner has remained in custody for about two years and trial has not shown any substantial progress during this period, accordingly, I am inclined to grant bail to the petitioner.

9. Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000 /- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Patna in connection with Kankarbagh P.S. Case No. 237 of 2024 subject to the condition that the petitioner shall remain present before the trial court on each and every date and in case of default on two consecutive dates without prior permission of the trial court, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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