

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89329 of 2025

Arising Out of PS. Case No.-701 Year-2023 Thana- FATUA District- Patna

Sudhir Kumar @ Sudhir Yadav S/o Late Mahendra Yadav @ Mahendra Gop
R/o Village- Surangaper, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Senior Advocate

Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2026 Heard Mr. N.K. Agrawal, learned Senior Counsel
assisted by Mr. Vijay Anand for the petitioner and learned APP
for the State.

2. Learned Senior Counsel for the petitioner submits
that petitioner is in custody since 04.01.2025. It is next
submitted that no doubt two persons in the occurrence died but
then from perusal of the allegations, as alleged in the FIR, it
would manifest that no specific allegation of firing is alleged
against the petitioner. It is also submitted that similarly situated
co-accused have been granted the privilege of regular bail as
stands recorded in the order dated 29.08.2025 in Criminal
Miscellaneous No.46059 of 2025 whereby regular bail of the
petitioner was earlier rejected. It is next submitted that the



consideration which weighed with the Court for not granting the privilege of regular bail to the petitioner was his criminal antecedents but then merely because petitioner has antecedents that in itself cannot be a ground to deny the privilege of bail to an accused against whom the allegation of killing is not specific.

3. The learned APP opposes the bail application and submits that since petitioner has three criminal antecedents, as such, if privilege of regular bail is granted, the petitioner may abscond.

4. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail, accordingly, the prayer for grant of bail to the petitioner is hereby rejected in connection with Fatuha P.S. Case No.701 of 2023, pending in the court of learned A.C.J.M.-II, Patna City.

5. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

Sanjay/-

U		T	
---	--	---	--

