

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90706 of 2025

Arising Out of PS. Case No.-359 Year-2023 Thana- BACHHWARA District- Begusarai

Boby Kumar Son of Surendra Sah Resident of Village- Khanua, Ps-
Vidyapatinagar, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bacchwara P.S. Case No. 359 of 2023 instituted for the offence
under Sections 302, 201, 120(B) & 34 of the Indian Penal Code.

3. The prosecution case, in short, is that petitioner
along with other co-accused persons committed murder of the
deceased.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29.02.2024. Petitioner
bears three (3) criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Kundan Kumar, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.06.2025, passed in Cr. Misc. No. 34115 of 2025. From perusal of the FIR, it would manifest that there is no specific allegation against the petitioner, rather the same is general and omnibus in nature. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bacchwara P.S. Case No. 359 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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