

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91348 of 2025

Arising Out of PS. Case No.-432 Year-2025 Thana- PATLIPUTRA District- Patna

1. Parsunna Kumar @ Sonu S/o- Pramod Kumar Singh R/v- Vishal Ganga Apartment, Flat No-205, Anandpuri, Boring Canal Road, Ps- S.K Puri Dist- Patna
2. Kanhaiya Yadav S/o- Lakhandeo Yadav R/v- Itadh, W.No-3, Ps- Paithu Dist- Aurangabad
3. Umesh Prasad S/o- Late Shiv Jatan Singh @ Jatan Singh R/v- Ekauna, Ps- Bhagwanganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Sr. Advocate Mr. Varun Krishna Singh Mr. Rajeev Kumar
For the Opposite Party/s	:	Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR SINGH
ORAL ORDER

- 2 15-01-2026 1. By means of this bail application, petitioners, who are involved in connection with Patliputra P.S. Case No. 432 of 2025 registered for the offences under Sections 105/3(5) of the BNS seek enlargement on bail during the pendency of trial.
2. Heard Mr. Jitendra Prasad Singh, learned Senior Counsel for the petitioners assisted by Mr. Varun Krishna Singh, and learned Additional Public Prosecutor representing the State.
3. As per the prosecution case, the informant Md. Murshid Alam moved an application to the S.H.O. Patliputra police station, Patna alleging therein *inter alia* that on 5.10.2025



at 4.46 A.M. while he was on duty near Sai Mandir Patliputra, he received information that one unknown person was being hit by few people in the under construction building of G.S.Neuro Science Hospital and when he reached there, he found that an injured person was lying unconscious. After seeing the police, some people ran away however, police stopped five named accused persons including the petitioners. It is further alleged that all five persons stated that the injured persons had entered in the premises to commit theft. The injured was taken to P.M.C.H. where he was declared dead.

4. It is argued by learned counsel for the petitioners that petitioners are innocent and they have been falsely implicated in this case due to ulterior motive. It is further submitted by the learned Senior Counsel for the petitioners that as per the prosecution case, five persons, namely, Parsunna Kumar @ Sonu (petitioner No. 1), Kanhaiya Yadav (petitioner No. 2), Umesh Prasad (petitioner No. 3) and two other co-accused namely, Santosh Prasad and Ram Nivas Singh were apprehended together and they were made accused in the present case. Out of which, two persons, namely, Santosh Prasad and Ram Nivas Singh have been granted bail by a co-ordinate Bench of this Court vide order dated 13.01.2026 passed in Cr.



Misc. No. 90780 of 2025 and the case of the present petitioners are similar to that of co-accused Santosh Prasad and Ram Nivas Singh, therefore the petitioners are also entitled to be released on bail. The petitioners have no criminal history. Averments in this regard have been mentioned in paragraph no. 3 of the bail application. Several other submissions in order to demonstrate the falsity of the allegations made against the petitioners have also been placed forth before the Court. Lastly, it is submitted that petitioners are languishing in jail since 05.10.2025. In case they are released on bail, they will not misuse the liberty of bail and cooperate with the trial.

5. Per contra, learned Additional Public Prosecutor for the State opposed the prayer for bail of the petitioners reiterating the prosecution case as mentioned in F.I.R. but he does not dispute the factum of the case as argued on behalf of the petitioners.

6. Having heard the submissions of learned counsel for the parties and perused the record, I find that two accused persons under similar accusation have been granted bail as noted above. The investigation has been completed and charge-sheet has been submitted against the petitioners. Now there is no possibility of tampering the witnesses. Due to heavy docket of the cases, the possibility of conclusion of trial of the petitioners



in near future is very bleak. There is no chance of the petitioners, of fleeing away from the judicial process or tampering with the prosecution evidence. As on date there is no material on record to presume that there is danger, of course, of justice being thwarted by grant of bail to the petitioners.

7. In view of the above, without entering into merit of the case, keeping in view the nature of the offence, evidence, severity of punishment, complicity of the petitioners, submissions of the learned counsel for the parties made at the bar and reasons as noted above, this Court is of the opinion that the petitioners are liable to be released on bail.

8. Accordingly, the bail application of the petitioners stands **allowed**.

9. Let the petitioners namely Parsunna Kumar @ Sonu, Kanhaiya Yadav and Umesh Prasad be released on bail in the aforesaid case on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties in the like amount each to the satisfaction of the Court concerned with the following conditions:-

(i) That the petitioners shall cooperate with the expeditious disposal of the trial and shall regularly attend the Court unless inevitable. Two consecutive default in putting



appearance shall lead to an action towards cancellation of the bail bond of the petitioners.

(ii) That the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(iii) That the petitioners shall not directly or indirectly involve in any criminal activity after being released on bail.

(iv) In case, at any stage it is found the petitioners have disclosed their incomplete criminal history before this Court, learned Court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the Court below that statement regarding previous bail petition is wrong, learned Court below shall cancel the bail bonds of the petitioners.

10. It is clarified that anything said in this order is limited to the purpose of determination of this bail application and will in no way be construed as an expression on the merits of the case. The trial court shall be absolutely free to arrive at its



independent conclusions on the basis of evidence led unaffected
by anything said in this order.

11. The trial Court shall make an endeavour to conclude
the trial of the petitioners expeditiously without granting
unnecessary adjournment to either of the parties.

(Sanjay Kumar Singh , J)

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