

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16753 of 2025**

Arising Out of PS. Case No.-432 Year-2024 Thana- FATUA District- Patna

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Sujeet Kumar @ Bandra, aged about 25 years, Male, Son of Raghu Mahato,
village- Sultanpur, P.S.- Fatuha, P.O.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Choudhary, Advocate
Mr. S.S. Yash, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP
For the Informant : Mr. Manoj Kumar Singh, Advocate
Mr. Sanoj Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER**

5 16-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Fatuha
P.S. Case No. 432 of 2024 instituted for the offences punishable
under Section 103 of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, some unknown persons
alleged to have shoot out the informant's brother and during
course of treatment, he died in the P.M.C.H.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that petitioner
has not named in the FIR and his name has been transpired in



this case only on the basis of information given by the local Chowkidar and Spy of the police. He further submits that chargesheet has already been submitted against the petitioner. There is no any specific allegation against the petitioner. He next submits that petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 18.07.2024.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail.

6. From perusal of the case diary, FIR and impugned order of the learned District and Additional Sessions Judge-1st, Patna City, Patna dated 04.02.2025, it appears that petitioner is not named in the FIR and his name transpired in this case only on the basis of information given by the local Chowkidar and Spy of the police. From perusal of the records, it appears that on the basis of fardbeyan of the informant Rajesh Kumar, FIR has been lodged under Section 103 of the B.N.S. and Section 27 of the Arms Act against unknown person. During investigation the name of the petitioner surfaced only on the basis of suspicion and statement of the informant and other witnesses as stated in para 18 of the case diary but no recovery has been made from the conscious possession of the petitioner. Similarly situated co-accused person namely Bisho Kumar @ Visho Kumar has



already been granted bail by this Court in Cr. Misc. No. 18228 of 2025 vide order dated 15.05.2025, so considering all these aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Patna City, Patna in connection with Fatuha P.S. Case No.432 of 2024.

(Ramesh Chand Malviya, J)

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