

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3034 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- PIPRIYA District- Lakhisarai

Popal Kumar @ Ankush S/o Mankeshwar Singh R/o vill - Ramchandrapur,
P.S. - Pipariya, Distt.- Lakhisarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujit Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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

ORAL ORDER

4 15-04-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Pipariya P.S. Case No. 78 of 2024, instituted for the offences
punishable under Sections 191(2), 126(2), 115, 109(1), 303(2)
of the Bharatiya Nyaya Sanhita, 2023 read with Section 25(1-B)
(a), 26, 35 and 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons surrounded the informant
and his friends. It is further alleged that co-accused Makeshwar
Singh ordered to fire and co-accused Kanhaiya Kumar opened
fire upon the informant due to which he sustained injury in his
abdomen.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no specific allegation of firing is levelled against the petitioner. Specific allegation of firing is against co-accused, namely, Kanhaiya Kumar. It is further submitted that there is case and counter case between the parties. The petitioner is in custody since 09.09.2024 and has got five criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, case and counter case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipariya P.S. Case No. 78 of 2024, 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)

Rajorshi/-

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