

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4574 of 2025

Arising Out of PS. Case No.-367 Year-2024 Thana- PARSABAZAR District- Patna

Aman Kumar Son of Mantu Prasad R/o Shalimpur Ahra, Gali No. 1, Phulwari, Patna, At present Resident of Dariyapur Kurthaul, Shiv Shakti Nagar, PS- Parsa Bazar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 28-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Parsabazar P.S. Case No. 367 of 2024 instituted for the offence under Sections 109 of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-B)a, 26, 27 & 35 of the Arms Act.

3. On 31-08-2024, Informant reported that his son Amandeep Kumar was fired upon by petitioner and his friend while sitting in a parked tempo. Petitioner and others tried to flee but were caught by locals, who recovered a *khokha* and a live cartridge from him.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31-08-2024. Petitioner bears no criminal antecedent, 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. Learned counsel for the petitioner submits that from perusal of the FIR, it would reveal that one *khoka* and live cartridge were recovered by the local people and not by the police, which indicates ulterior motive by the informant. Learned counsel for the petitioner submits that injury sustained by son of the informant is found to be simple in nature. There is no compliance of Section 103 of the BNSS, 2023. Charge-sheet is 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 and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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
Court below/concerned Court in connection with Parsabazar
P.S. Case No. 367 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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