

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11339 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- DIDARGANJ District- Patna

Sunil Kumar, aged about-29 years, Gender-male, Son of Nabalak Singh,
Resident Of Village- Khashpur, P.S.-Didarganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Jay Ram Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Ram Sumiran Rai,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Didarganj P.S. Case No. 364 of 2024, registered for the
offence punishable under Sections 126 (2), 115(2), 109, 303(2),
352, 351(2), 3(5) of the B.N.S., 2023 and Section 27 of the
Arms Act.

3. As per the allegation made in the FIR, petitioner
along with other accused persons had assaulted the informant
due to non fulfillment of demand of extortion. Specific
allegation against the petitioner is that he had fired upon the
informant.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. There is case and counter case between the parties arising out of the same incidence. An altercation took place between the parties and in course of the same, the petitioner may have caused some injury to person of the informant side, without intention. The allegation of using fire-arm against the petitioner is frivolous. Petitioner has two criminal antecedents, though, he is on bail in both the cases. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st, Patna City, in connection with Didarganj P.S. Case No. 364 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is



pending against the petitioner as what has been stated in
paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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