

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10290 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Akash Kumar Son of Kapil Yadav village- Sohail Bigha, Ps- Makhdumpur,
Dist- Jahanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 10738 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Vikash Kumar Son of Kapil Yadav R/O-Village- Sheshambag, P.S. -
Makhdumpur, Distt.-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 10290 of 2025)
For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Umanath Mishra
(In CRIMINAL MISCELLANEOUS No. 10738 of 2025)
For the Petitioner/s : Mr.Umesh Kumar
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

- 309-05-2025Both applications have arisen out of same incident
and police station case; therefore, they are being heard
together and being disposed of by the common order.
2. Heard learned counsel for the petitioners and
learned APP for the State.
3. The petitioners have filed the instant application

for grant of regular bail in a case registered for the offences punishable under Sections 310(2), 311, 109 of BNS and Section 27 of Arms Act.

4. Prosecution case in nutshell is that while the informant was supervising construction work at his house, he heard the sound of gunshots. He saw 6-7 armed and unidentified assailants coming out from a Micro Finance Bank (R.V.M. Future Nidhi Ltd.) located on the ground floor opposite to the marriage hall. His cousin, Ran Vijay Prasad, the Director-cum-Manager of the bank, tried to retrieve the looted money and stop the criminals but he received gun shot in the chest. When the informant rushed to help, one of the assailants gave another shot in his leg. The miscreants fired indiscriminately, injuring tenant Rakesh Kumar and his niece, Ayushi Kumari. All four victims collapsed, though the informant remained conscious. The attackers fled on four Apache motorcycles towards Gaya. The informant has claimed that he could identify them, as their faces were visible. Approximately ₹2,00,000/- (two lakh rupees) were alleged to be looted. All injured persons were taken to hospital.

5. It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in the present case. Neither the petitioners are named in F.I.R. nor they has been put on T.I.P. Nothing incriminating has been recovered from thier possession. The name of petitioners sprang up in this case on the basis of disclosure of spy as is evident from perusal of para 87 of the Case Diary. Moreover, the petitioners are languishing in judicial custody since 14.10.2024. After completion of investigation, charge-sheet has been submitted in this case.

6. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

7. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail, after framing of charge. The above named petitioners are directed to be enlarged on bail, **after framing of charge**, in connection with Buniyadganj P.S. Case No. 237 of 2024 on furnishing bail bond of Rs.

10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, VIII, Gaya, , with following conditions:-

(i) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence, on two consecutive dates, without sufficient reason, his bail bonds may be cancelled by the learned trial Court.

(ii) One of the bailors should be close relative or family member of the petitioners.

(S. B. Pd. Singh, J)

Nirajkrs/-

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