

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13026 of 2025

Arising Out of PS. Case No.-877 Year-2023 Thana- MASAUDHI District- Patna

Prashant Kumar @ Purushottam Kumar S/O Late Sadhu Sharma @ Rajendra
Sharma R/O Village- Khajuri, P.S- Naubatpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. (Mr.) Anjani Pd. Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201 and 120(B) of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 19.09.2024 and the informant alleges that his son died
when he had gone to attend a marriage ceremony where
celebratory firing was being made by Nikesh Kumar and other
named accused persons. It is further submitted that from perusal
of the allegation as alleged in the FIR, it would manifest that the
informant is not an eye witness to the occurrence. It is next
submitted that similarly situated co-accused, namely, Shubham
Kumar had approached this Court seeking anticipatory bail by



filing Cr. Misc. No. 38292 of 2024 and the same was allowed by an order dated 03.10.2024. It is also submitted that Shubham Kumar was granted the privilege of anticipatory bail on the ground that he was getting married on the date when the occurrence took place and the deceased was his friend whereas with respect to this petitioner, it is alleged that he was also instrumental in firing but then it is reiterated and submitted that informant is not an eye witness to the occurrence and the deceased was the friend of the petitioner also. It is submitted that charge-sheet has been submitted, as such, no useful purpose would be served by keeping the petitioner in jail.

4. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Masaurhi P.S. Case No. 877 of 2023, G.R. No. 1934 of 2023.

6. One of the bailors of the petitioner shall be his uncle (Fufa) Raviranjana.



7. However, it is made clear that if the learned trial court comes to a conclusion that petitioner, after his release on bail, is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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