

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13697 of 2025

Arising Out of PS. Case No.-460 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Ravindra Kumar, S/o- Girish Narayan Singh, Resident of Village- Madhubani
P.S.-Kudra District- Kaimur Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Mishra, Adv.
For the Informant	:	Mr. Ashok Kumar Singh, Adv.
For the State	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 02-04-2025 1. Heard Mr. Rajesh Kumar Mishra, learned counsel for the petitioner, Mr. Ashok Kumar Singh, learned counsel for the informant and Mr. Anil Prasad Singh, learned APP for the State.
2. The petitioner apprehends his arrest in connection with Kudra P.S. Case No. 460 of 2024 dated 01.12.2024 registered for the offence(s) punishable under Section(s) 329(4), 115(2), 118(1), 117(2), 109(1), 74, 351(2), 3(5) of B.N.S. and Section 27 of the Arms Act.
3. The main submissions advanced by the learned counsel for the petitioner are that the allegation as to assaulting the prosecution party is general and omnibus against this petitioner and other co-accused persons and as per the second part of the prosecution story, the petitioner and co-accused Indragit Kumar allegedly opened fire but in that firing, no one is



said to have sustained injury. It is further submitted that in fact, on the alleged day and time of occurrence, the prosecution party hurled vulgar statement at the petitioner's aunt, which was opposed and the same led to an occurrence of abusing and assault in between both the parties and the prosecution party badly assaulted one Priyatesh Kumar, an uncle of the petitioner, by causing firearm injuries to him and in this regard, the FIRs lodged by Police and petitioner's side bearing Kudra P.S. Case No. 459 of 2024 and Kudra P.S. Case No. 461 of 2024 respectively are relevant and upon getting information of the alleged occurrence, the police party arrived at the place of occurrence and seized firearms from the house of one Dev Shankar Singh, an accused in the petitioner's case, and near a poultry farm of one Rakesh Kumar, an accused in the petitioner's case, and in the seizure memos of the recovery of the said firearms, the petitioner was one of the witnesses and in this regard, the copy of FIR bearing Kudra P.S. Case No. 459 of 2024 registered by Sub-Inspector of Kudra P.S., has been filed as Annexure-P/3 and same is relevant. It is further submitted that seven accused persons have been granted the relief of anticipatory bail by the trial court itself and the petitioner's prayer has been rejected mainly on account of the allegation of



firing committed by him at the prosecution party but admittedly, no one sustained firearm injury in that firing whereas as per the FIR lodged by the police, the firearms were recovered from the places which are said to be in the possession of the prosecution party of the present matter.

4. On the other hand, learned counsel for the informant has vehemently opposed the prayer of the petitioner and submits that the petitioner has made wrong statement in the paragraph no.3 of the petition as he has one criminal antecedent bearing Kudra P.S. Case No. 130 of 2019. The said submission has vehemently been opposed by the petitioner's counsel and he submits that a correct statement has been made in the said paragraph and petitioner's criminal antecedent may be verified by the trial court before accepting his bail bond, if a relief is granted.

5. In the facts and circumstances of this case and mainly considering the fact that in the firing allegedly made by this petitioner, no one sustained firearm injury while as per the prosecution story narrated in the FIR bearing Kudra P.S. Case No. 461 of 2024 lodged by the petitioner's side, petitioner's uncle sustained two firearm injuries, one in the chest and second in the stomach and as per the FIR bearing Kudra P.S.



Case No. 459 of 2024 lodged by the police officer, firearms were recovered from the places which are said to be in the possession of the co-accused persons belonging to the prosecution's side, in my opinion, it is a fit case for anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Kudra P.S. Case No. 460 of 2024 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. with the following conditions:

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.
- (3) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.
- (4) The trial court will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the trial court shall take strict action against him by cancelling his bail bond.

(Shailendra Singh, J)

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