

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20086 of 2025**

Arising Out of PS. Case No.-102 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Gaurav Singh @ Gaurav Kumar, (Male), aged about 30 years, S/O Ram
Kumar Singh @ Aako Singh, R/O Village- Pahsara, P.S- Nawkothi, Distt.-
Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	M/S. Sanjay Kumar and Ashok Kumar, Advocates
For the Informant	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Raj Kishor Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 15-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Nawkothi P.S. Case No. 102 of 2021 dated 23.07.2021
registered for the offences punishable under Sections 302, 120B
read with Section 34 of the I.P.C. and Section 27 of the Arms
Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have fired on the informant's
husband indiscriminately due to non-fulfillment of rangdari
(ransom) due to which, he died on the spot.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is land dispute between the husband of the informant and the co-accused persons, Santosh Singh, Baban Singh, Sudhir Singh, Shravan Kumar @ Santosh Singh, Pankaj Singh, Ranjan Singh @ Chunna and Umesh Singh and there is no dispute with the petitioner. It is further submitted that neither the informant nor her other family members are the eye witnesses to the alleged offence as on the alleged date, time and the place of occurrence, they were not present. It is further submitted that the real fact is that some unknown miscreants shot fire on the informant's husband, due to which, he died on the spot. The petitioner is the co-villager of the informant. It is further submitted that after death of the informant's husband by some unknown miscreants, the informant cooked up a story and claimed herself to be an eye witness to the alleged offence but in fact, she was not present at the place of occurrence and only on the instigation of the enmity of the family of the petitioner, the informant dragged the name of the petitioner in the present case. There is no specific allegation of firing on the deceased against the petitioner. It is submitted that no incriminating article has been recovered from



the possession of the petitioner. The petitioner has no concern with the alleged offence. It is further submitted that the other co-accused persons, namely, Ankit Kumar @ Paranarth Kumar has been granted regular bail in Cr. Misc. No. 68598 of 2022 vide order dated 12.04.2023, Sudhir Singh @ Sudhir Kumar Singh has been granted anticipatory bail in Cr. Misc. No. 49846 of 2023 vide order dated 25.08.2023, Rishav Kumar @ Rishav Raj has been granted anticipatory bail in Cr. Misc. No. 63100 of 2023 vide order dated 19.10.2023, Saurav Kumar has been granted regular bail in Cr. Misc. No. 30704 of 2024 vide order dated 18.07.2024 and Ram Kumar Singh @ Aako Singh has been granted regular bail in Cr. Misc. No. 35600 of 2024 vide order dated 20.07.2024 by a Bench of this Court as well another Co-ordinate Benches of this Court, annexed as Annexures-3, 4, 5, 6 and 7 respectively to the present bail petition. The petitioner has eight criminal antecedents as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 21.12.2024 in this case.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that the petitioner and the co-accused persons fired on



the informant's husband, due to which, he died. It is further submitted that the prayer for regular bail of the co-accused person, namely, Saurav Kumar, has been rejected twice in Cr. Misc. No. 39491 of 2022 vide order dated 03.04.2023 and in Cr. Misc. No. 15068 of 2024 vide order dated 01.03.2024 and on third time, he was granted bail in Cr. Misc. No. 30704 of 2024 vide order dated 18.07.2024 by another Co-ordinate Bench of this Court and likewise, the prayer for regular bail of the co-accused Ram Kumar Singh @ Aako Singh has been rejected in Cr. Misc. No. 41706 of 2022 vide order dated 03.04.2023 and on second time, he was granted bail by another Co-ordinate Bench of this Court in Cr. Misc. No. 35600 of 2024 vide order dated 20.07.2024.

6. Considering the aforesaid facts and circumstances of the case and the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned District Additional Sessions Judge-IV, Begusarai in connection with Nawkothi P.S. Case No. 102 of 2021 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court



below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. 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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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