

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20696 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- RAJGIR District- Nalanda

Prahalad Kumar @ Pahlad Kumar Son of Niraj Kumar @ Niraj Singh,
Resident of village - Sabalpur, P.S.- Rajgir, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Rajgir P.S. Case No. 233 of 2024, dated 10.06.2024, registered for the offences punishable under Sections 341, 323, 504, 506, 324, 326, 307, 448, 427, 386, 387 and 120B of the Indian Penal Code and under Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, petitioner and co-accused persons came to the shop of the informant and demanded extortion money of Rs. 13,000/-. When the informant refused to pay them, they started abusing and assaulting him and further scattered the goods of the shop. When the younger brother of the informant intervened, he was hit on his head by



butt of country-made *katta* by this petitioner, who also fired a shot upon the informant and informant received injury in his right waist. On hearing the sound of firing, persons from nearby assembled and caught hold of this petitioner and co-accused Monu Kumar and thrashed them. The Police came and took the petitioner and co-accused in custody and on their search, a country made *katta* and spent cartridge and one live cartridge were recovered from the petitioner and from the co-accused Monu Kumar, recovery of two live cartridges were made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner runs a brick kiln and has sold bricks to the informant and when he demanded the payment for it, the petitioner has been falsely implicated in this case. The injury report does not show the weapon used for causing the injury which is stated to be simple and the injury of the informant is on right shoulder and occipital scalp, but there is no allegation of receiving any such injury by the informant. The petitioner has been made accused in this case due to his criminal antecedents, but all the cases have been lodged prior to the year 2022 and the petitioner is a reformed person and has started a business and is not being involved in any criminal



activities. Learned counsel further submits that there is no payment of any extortion money and there could be no application of Sections 386 and 387 of the IPC in the given facts and circumstances. Learned counsel lastly submits that the petitioner is in custody since 11.06.2024 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering petitioner's period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-POCSO 1st, Nalanda at Bihar Sharif / concerned Court, in connection with **Rajgir P.S. Case No. 233 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and



every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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