

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23218 of 2025

Arising Out of PS. Case No.-322 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Santosh Kumar @ Bhuar S/o Late Jagdish Sonkar R/o Village- Targanj, P.S.-
Sasaram, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Siddharth Harsh, learned counsel

appearing on behalf of the petitioner and Mr. Uday Chand

Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sasaram (M) (Karwandia O.P.) P.S. Case No. 322 of 2024
registered for the offence(s) punishable under Sections 127(1),
115(2), 109 and 132 of the BNS and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, one
Abhinandan Kumar was engaged in trade of illicit liquor, who
was apprehended along with the illicit liquor and in course of
seizure, unmaed accused had opened fire upon the police
officers, causing fire arm injuries.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely



been implicated in the present case. The petitioner is not named in the FIR and on the basis of confessional statement of one co-accused namely Manish Kumar, his name has surfaced in the present case. The seized motorcycle belongs to the co-accused Manish Kumar. The said Mainsh Kumar has already been released on regular bail by this Court *vide* order dated 18.01.2025 passed in Cr. Misc. No.74644 of 2024. It is also submitted that para no.14 of the case diary reveals that one co-accused Parmindra Gaur fired at the police personnel. On these grounds, the petitioner seeks to be release on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that the petitioner is not named in the FIR and his named surfaced in the present case on the basis confessional statement of the co-accused Manish Kumar, who has been released on bail, and it has been submitted in para no.14 of the case diary that one co-accused Parmindra Gaur fired at the police personnel, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on bail.

7. The petitioner, above named, is directed to be



released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, District – Rohtas at Sasaram in connection with Sasaram (M) (Karwandia O.P.) P.S. Case No. 322 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J.)

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