

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28167 of 2025

Arising Out of PS. Case No.-1353 Year-2022 Thana- BIHTA District- Patna

Sunal Kumar @ Bhagat Kumar @ Bhagat Paswan son of Late Bihari Paswan
Lal @ Bihari Paswan @ Lal Bihari Paswan Resident of Village -Madhopur,
PS -Bihta, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Paswan, Adv.

For the Opposite Party/s : Ms.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 06-08-2025 Heard learned counsel for the petitioner and learned

APP for the State. Perused the case diary.

2. The petitioner has earlier moved before a Co-ordinate Bench of this Court with a prayer for anticipatory bail which was rejected vide order dated 12.11.2024 passed in Cr. Misc. No. 30610 of 2024.

3. The petitioner seeks bail in connection with Bihta P.S. Case No. 1353 of 2022 instituted for the offences under Sections 341, 323, 307 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per prosecution case, the petitioner is said to have fired upon the Informant.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive. There is no specific or direct allegation against the petitioner rather the same is general and omnibus in nature. He further submits that from the injury report as contained in Para-74 of the case diary, it appears that the injury caused to the Informant is simple in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 03.12.2024 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Charge-sheet has been submitted in this case against the petitioner and another under Sections 341/323/307/34 of the I.P.C. and Section 27 of the Arms Act.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bihta P.S. Case No. 1353 of 2022,



subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

8. The interlocutory application, if any, also stands disposed of.

(Rudra Prakash Mishra, J)

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