

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28877 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- Pura police station District- Gaya

Brishketu Kumar S/O Sudhanshu Sharma @ Sudhanshu Singh R/O Vill.-
Bhori, P.S.- Pura, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Chandra, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Pura
P.S. Case No. 80 of 2024 instituted for the offence under
Sections 121(1), 132, 249 & 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution alleges that on 29.01.2024, police
officials raided the houses of Brishketu Kumar (petitioner) and
Rahul Kumar to arrest them in connection with Civil Lines P.S.
Case No. 511/2024. During the raid, the informant was assaulted
by Abhishek Kumar, who later fled. Subsequently, accused
Rahul Kumar fired at the police and also escaped under the
cover of darkness.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17-02-2025. Petitioner bears nine criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner. Specific allegation of firing is against co-accused, Rahul Kumar. The learned counsel for the petitioner submits that on 30.11.2024, the informant, without a search warrant and in collusion with the local *Mukhiya*, attempted to forcibly enter his house. When the women of the household resisted, the informant lodged the present FIR to cover up his actions. It is further claimed that the FIR was politically motivated, as the petitioner's wife had won the local election, and a complaint case No. 1886/2024 has been filed by the petitioner's mother against the informant.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and nature of accusation against the petitioner, this Court is inclined to grant



bail to the petitioner.

8. Let the petitioner be released on bail, after framing of charge, if not already framed, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pura P.S. Case No. 80 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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