

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28911 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Sushant Kumar @ Sushant Kumar Singh @ Sushant Singh S/o- Bulbul Singh
@ Rajesh Kumar Singh Residents of Gandhi Path New Colony, ward no 08
PS- Sharsa Sadar District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivesh Sinha, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Saharsa Sadar P.S. Case No. 148 of 2025, instituted for the
offences punishable under Sections 109, 3(5) of the Bharatiya
Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons stole a mobile and purse
from the informant under the guise of collecting donations.
When the informant and locals confronted them, the petitioner
fired upon the informant injuring his chest and co-accused,
Aman also fired upon another person.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that on the alleged date of occurrence, the petitioner was on the way to his house and in the meantime the informant along with his brother and other persons tried to stop the petitioner and anyhow he managed to escape from that place. The petitioner is in custody since 05.02.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that complicity of the petitioner in the alleged crime transpires from the statement of the witnesses including the injured in paragraph nos. 3 and 4 of the case diary. Further the injury report mentioned in paragraph no. 60 of the case diary shows that the injured Amitabh Kumar has sustained fire arm injury on his chest and the doctor has opined the nature of injury to be grievous in nature. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. The prayer is rejected. The trial Court is directed to expedite the Trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

