

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29904 of 2025

Arising Out of PS. Case No.-704 Year-2024 Thana- GAYA MUFASIL District- Gaya

Biru Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bindhyachal Singh, Sr. Advocate
		Ms. Nikita Mittal, Advocate
For the Opposite Party/s	:	Mr.Uday Chand Prasad, APP
For the Informant	:	Mr.Rabindra Kumar Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-06-2025 Heard Mr. Bindhyachal Singh learned Senior Counsel
for the petitioner, learned counsel for the informant and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 704/2024 registered for the offences
under Sections 126(2), 115(2), 118(2), 303(2), 351, 352, 109
and 3(5) of B.N.S. and Section 27 of the Arms Act

3. The prosecution case in nutshell is that four
accused persons including the petitioner used to demand
rangdari from the informant. It has been alleged that the
petitioner fired upon the informant from his pistol which hit his
leg. All the accused persons thereafter fled.

4. Learned Senior Counsel for the petitioner submits



that petitioner is innocent and has falsely been implicated in this. Learned Senior Counsel further submits that even if the allegation is taken on its face value, the allegation upon the petitioner is of firing upon the informant on his thigh, which is a non-vital part of the body. Learned Senior Counsel further submits that the co-accused persons have been granted bail by this Court vide order dated 07.05.2025 passed in Cr. Misc. No. 17143/2025. It is lastly submitted that though the petitioner has two criminal antecedents he is in custody since 29.08.2024.

5. Learned counsel for the informant and learned APP for the State have jointly opposed the prayer for bail of the petitioner and submit that there is direct allegation upon the petitioner to have shot the informant hitting him on his thigh. It is further submitted that the petitioner and other co-accused persons have constantly been threatening the informant and his family members, posing a threat to the informant's life. It is lastly submitted that the accused persons are trying to delay the trial by not allowing the Court to frame the charges.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner above-



named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VI, Gaya in connection with Muffasil P.S. Case No. 704/2024 subject to the conditions:-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates 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.
- d. If the petitioner in any case tries to delay the framing of charge, the prosecution will be at liberty to move before the Court below for cancellation of bail of the petitioner.
- e. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court



below shall take step for cancellation of
bail bond of the petitioner. However, the
acceptance of bail bonds in terms of the afore-
mentioned order shall not be delayed for
purpose of or in the name of verification.

(Sourendra Pandey, J)

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