

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30565 of 2025

Arising Out of PS. Case No.-299 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Pratik Singh @ Priyanshu Kumar @ Priyanshu Singh Son of Ramesh Singh
@ Ramesh Kumar Singh @ Ram Kishor Singh Resident of Village Bhatkarja,
P.S.-Sangrampur, District- East Champaran, at present resident of Agarwa,
P.S.- Town (Motihari), District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Karandeep Kumar, Adv.
For the Opposite Party/s : Ms.Rina Sinha, APP

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

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Town
(Motihari) P.S. Case No. 299 of 2024 instituted for the offences
under Section 307, 326, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per prosecution case, all the accused persons
including the petitioner have fired upon the informant, who was
sitting with his mother at '*Braham Baba Asthan*' with an
intention to kill. In the meantime, the mother of the informant
sustained fire-arm injury.

4. 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 merely on the basis of suspicion. He further submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. No Test Identification Parade has been conducted in this case as yet. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents and is languishing in judicial custody since 15.01.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Devendra Sahani has been granted bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No. 50038 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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,



let the petitioner, abovenamed, be released on bail 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 Town (Motihari) P.S. Case No. 299 of 2024, 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.

(Rudra Prakash Mishra, J)

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