

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28678 of 2025

Arising Out of PS. Case No.-1651 Year-2024 Thana- PHULWARISHARIF District- Patna

Harsh kumar Son of Subodh Ray @ Subodh Kumar R/o Village- Ishopu8r Rai
Chowk Purani Mashjid, P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103(1) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that one Suresh
Kumar Singh alleged that on 24.10.2024 at about 1:00 P.M.,
when the informant's son was returning home after picking up
his child from school bus, then the informant's grandson shouted
that three persons are firing upon his father. Upon hearing such
sound, the informant ran towards the place of occurrence where
he found that his son got gunshot injury at several places in
abdomen and neck. The informant tried to take his son to



hospital, but his son died on the way.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The petitioner is not named in the F.I.R and has been implicated in this case only on the basis of confessional statement of co-accused person. Except confessional statement there is no material on record to show the complicity of this petitioner in the alleged occurrence. It is further submitted that similarly situated co-accused person, namely Rocky Kumar, has already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 09.07.2025 passed in Cr. Misc. No. 19720 of 2025. Petitioner is in custody since 05.02.2025. Moreover, charge-sheet has already been submitted.

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

6. Considering the facts and circumstances of the case, nature of accusation, claim based on parity and period of custody, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-IV,
Patna in connection with Phulwarisharif P.S. Case No. 1651 of
2024.

(Prabhat Kumar Singh, J)

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