

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30469 of 2025**

Arising Out of PS. Case No.-17 Year-2024 Thana- BELSAND District- Sitamarhi

Ratan Kumar @ Nunu @ Ratan Kukmar S/O Mulindra Prasad @ Shobha Prasad Resident of Village- Pandrahi, P.S.- Belsand, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      06-08-2025                      Heard Mr. Ashok Kumar Jha, learned counsel for the petitioner and the State.

2. The petitioner is in custody in connection with Belsand P.S. Case No. 17 of 2024 for the offence punishable under sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act lodged on 16.02.2024 by the informant, Md. Nasruddin

3. As per the FIR, the informant who is the Sarpanch of Gram Panchayat Raj, Kansar alleged that while he was performing his Gram Kachahari work, the accused persons came there and wanted extortion for which he submitted an application before the SDPO. Infuriated with that, they came on the order of Shobha Prasad, the allegation is that his son, Rahul Kumar @ Munu opened fire on him. As his wife came to rescue, she was also shot at. Considering her precarious condition, she



was firstly shifted to Sub-Divisional Hospital and then to the SK Medical and College Hospital, Muzaffarpur and further to Private Hospital Kankarbagh, Patna where she succumbed to the injuries. This led to the FIR.

4. Learned counsel for the petitioner submits that he being the brother of the main accused, Rahul Kumar and son of Shobha Prasad, has been implicated. Though he concede that the petitioner has criminal antecedent, the bonafide has been explained that immediately after the occurrence, he was taken into custody on 17.02.2025. Except his name in the FIR, no role has been attributed.

5. Learned APP opposes the prayer for bail submitting that the petitioner was also present at the place of occurrence.

6. Considering the submissions of the parties as also that the main role has been assigned to Rahul Kumar whose shot proved fatal for the informant's wife, the petitioner is in custody since 17.02.2025, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned JM 1<sup>st</sup> Class, Sitamarhi in connection with Belsand P.S. Case No. 17 of 2024,



subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.;

**(Rajiv Roy, J)**

Raj Ranjan/-

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