

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34503 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- BARHARA District- Bhojpur

Praduman Kumar S/O Kamala Rai R/O Village- Semara, P.S- Barhara, Distt.-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Malti Kumari, Advocate

For the Opposite Party/s : Ms.Anita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 17-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offences under Sections 126(2), 115(2), 109, 103(i)/74, 3(5) of
B.N.S.

3. As per the prosecution case, the informant has alleged
that while he was going home he was stopped by the named accused
person Ravindra Rai and accidentally the trigger of the weapon he
was carrying was pressed and on account of the altercation several
persons from the informant side tried to get him free and among them
one Prem Singh fired from his pistol and it was stated that the seven
named accused persons along with five to ten unknown had caught
hold of Prem Singh and assaulted him brutally resulting in his death.

4. Learned counsel for the petitioner submits that



petitioner is innocent and was not named in the FIR. Learned counsel further submits that there is case and counter case between the parties and the petitioner has falsely been implicated in this case as an afterthought. It is next submitted that similarly situated persons namely Bijendra Rai and Vivek Rai have been granted bail by a learned Co-ordinate Bench of this Court vide order 25.06.2025 passed in Cr. Misc. No. 38375/2025. It is lastly submitted that the petitioner has clean antecedent and is in custody since 18.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the submissions on behalf of the parties, 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 court below where the case is pending/successor court in connection with Barhara P.S. Case No. 50/2025 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. 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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