

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34762 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- BEGUSARAI TOWN District- Begusarai

Badal Kumar @ Sunni Kumar S/O Sunil Ram @ Sunil Kumar Ram R/O
Mohalla- Mungeriganj, P.s.- Begusarai Town, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner seeks permission
to make necessary corrections in Para-1 of the bail petition in
course of the day.

3. Permission is accorded.

4. The petitioner seeks bail in a case registered for the
offences under Section 109 of B.N.S., Sections 25(1-b)(a), 26,
27 of Arms Act and Section 37 of Bihar Prohibition and Excise
Act.

5. As per the prosecution case, the informant had
alleged that Badal Kumar @ Sunny Kumar (petitioner) had a
dispute with the informant. It is further alleged that the
petitioner with an intention of murdering the informant took out



a country made pistol and had fired upon the informant, however, he was saved by his bodyguard and subsequently, Tiger mobile's men were called who had captured the petitioner and a country-made pistol along with one empty cartridge as well as live cartridge was recovered from his possession and he was handed over to the police station in the drunken stage.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case and no such incident as alleged had occurred. It is next submitted that the petitioner has no concern with the alleged recovery and no incriminating article has been recovered from his conscious physical possession. It is also submitted that from the FIR it is evident that the petitioner was taken by the informant and others to the police station and handed over only after getting him medically checked for the liquor he had consumed. It is lastly submitted that the petitioner has two criminal antecedents and is in custody since 02.03.2025.

7. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that a country-made pistol has been recovered from the possession of the petitioner.

8. Considering the aforesaid submissions of the



parties and also considering 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 concerned, Begusarai, in connection with Begusarai Town P.S. Case No. 84/2025, subject to the following 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. If the petitioner is found to be engaged in any other incident of similar nature the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the petitioner.
- d. 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.
- 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Sourendra Pandey, J)

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