

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33631 of 2025

Arising Out of PS. Case No.-518 Year-2024 Thana- PAKARIBARAW District- Nawada

Pramod Singh @ Pramodh Singh, aged about 55 years, Male, S/o- Vimal Singh, resident of Village- Lilo, PS- Pakribarawan, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kanupriya Singh, Advocate
		Mr. Abhishek Anand, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mr. Ram Pravesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner learned Additional Public Prosecutor for the State and learned counsel for the informant, who has appeared *suo motu*.

2. The petitioner seeks bail in connection with Pakribarawan PS Case No.518 of 2024 dated 24.11.2024, instituted for the offence punishable under Sections 109, 118(2), 127(9), 191(3) of the *Bharatiya Nyaya Sanhita*, 2023 and Sections 25(1-b), 27 and 35 of the Arms Act.

3. The prosecution case, in brief, is that the informant along with Gopal Kumar and Bablu Singh were going to see Sukar Paswan, who had sustained fracture injury in his leg. On the way, he saw that ten accused persons holding firearms got down from two Scorpio vehicles; from one vehicle petitioner and from another vehicle accused, Rahul Kumar had come.



After dropping them, the vehicles went away. It is further alleged that after seeing Sukar Paswan, the informant and others were returning back and reached near Bajrangabli temple and they saw that ten accused persons were hidden there and they started abusing and then Bablu Singh protested not to abuse. Accused, Rahul Kumar, ordered to assault him upon which all the accused persons surrounded the informant and others. The informant and others tried to save their life and reached near the house of Dholan Pandit where accused persons intercepted them. It is further alleged that accused Golu Kumar opened fire from his pistol at Gopal Kumar and causing firearm injury on the back of Gopal Kumar. Accused, Rahul Kumar, opened fire from his pistol upon Bablu Singh and accused, Dhirendra Kumar, opened fire upon the informant but it could not hit them. All the accused persons started opening fire incessantly in the air and fled away.

4. Learned counsel for the petitioner submits that the FIR has been lodged against ten named accused including the petitioner and five unknown. There is specific allegation against Golu Kumar that he fired upon Gopal Kumar. There is no specific allegation of assault against the petitioner. Learned counsel further submits that nothing incriminating articles have



been recovered either from conscious possession or from the house of the petitioner. Further submission is that similarly situated co-accused, Dharendra Kumar @ Dhira, has been granted bail by a co-ordinate Bench of this Court by order dated 12.05.2025 passed in Cr. Misc. No.15463 of 2025. Lastly, it is submitted that the petitioner is in custody since 13.04.2025 and eight criminal cases are pending against the petitioner out of which he has been acquitted in two cases. Charge-sheet has been submitted in the case. It is also submitted that from paragraph no.41 of the case diary also, it is crystal clear that eight cases are pending against the petitioner.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail. Learned counsel for the informant has submitted that the petitioner is a veteran criminal and all accused persons including the petitioner assaulted the informant and caused firearm injury to Gopal Kumar.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-II, Nawada, in



Pakribarawan PS Case No.518 of 2024, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, (v) that the petitioner within two weeks after his release from jail custody shall appear before the SHO of local PS along with a copy of this order and thereafter shall appear every fortnightly to mark his attendance till the framing of charge in the case.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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