

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35800 of 2025

Arising Out of PS. Case No.-132 Year-2023 Thana- PUSA District- Samastipur

Sidarth Kumar @ Siddharth Kumar @ Sidharth Yadav @ Sidharath Kumar @
Sidharath Yadav S/O Upendra Ray @ Umendra Ray @ Upendra Rai R/O
Vill.- Daudpur Chaknur, P.s.- Muffasil, Dist.- Samastipur- 848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Pusa
P.S. Case No. 132 of 2023, instituted for the offences punishable
under Sections 307, 120(B), 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. The prosecution case, in short, is that allegation
against the petitioner along with other co-accused person is of
firing upon son of the informant due to which he sustained
injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of two days in lodging the FIR. The allegation levelled against the petitioner is general and omnibus in nature. There is land dispute between the parties. It is further submitted that the injury report does not corroborate with the prosecution case. The petitioner is in custody since 24.03.2025 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 14.02.2025 passed in Cr. Misc. No. 76565 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner that he along with other co-accused, namely, Chunnu Kumar fired with country made pistol upon the son of informant causing firearm injury on his arm and abdomen. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pusa P.S. Case No. 132 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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