

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34766 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Aman Kumar S/o Diwakar Singh R/o Village- Bharouli Dhakjari, P.S.- Saharsa, (OP- Sonbarsa Kachahari), District- Saharsa Residing at present at New Colony, ward No.13, P.S- Saharsa, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 14-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Saharsa P.S. Case No. 148 of 2025, instituted for the offences punishable under Sections 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons stole a mobile and purse from the informant under the guise of collecting donations. When the informant and locals confronted them, the co-accused fired upon the informant injuring his chest and petitioner also fired upon another person, who sustained injury on his leg.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. Allegation against the petitioner is of firing upon one Tanmay Raj and doctor has opined the injury being simple in nature. The petitioner is in custody since 10.03.2025 and has got no criminal antecedent. Charge sheet has already been submitted in this case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that complicity of the petitioner in the alleged crime transpires from the statement of the witnesses including the injured in paragraph nos. 3 and 4 of the case diary. Hence, the petitioner does not deserve the privilege of bail. Bail of other co-accused has been rejected by this Court vide order dated 13-05-2025, passed in Cr. Misc. No. 28911 of 2025.

6. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and injury being found to be simple in nature, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saharsa PS Case No. 148 of 2025, 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)

Raj Kishore/-

U		T	
---	--	---	--

