

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33641 of 2025**

Arising Out of PS. Case No.-178 Year-2024 Thana- CHACKMEHSI District- Samastipur

Sukesh Kumar S/o Chadilal Rai @ Chhadilal Ray R/o Vill.- Morsand, P.S.-  
Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashank Shekhar, Adv

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      28-05-2025                      Heard learned Counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chakmehsi P.S. Case No. 178 of 2024 registered for the offences punishable u/s 110 of the B.N.S. and under Section 27 of the Arms Act.

3. As per the prosecution case, on 21.10.2024, at about 9:00 P.M., the informant was returning home after closing his mobile shop. In the meantime, ten unknown persons intercepted the informant and among them one Sukesh Kumar (petitioner) allegedly fired three to four rounds upon the informant due to which he sustained injury on his left hand. Thereafter, with the help of the villagers, he was taken to the Kalyanpur Block Hospital and from there he was referred to



DMCH, Darbhanga for further treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that neither the petitioner was apprehended from the place of occurrence nor any incriminating article has been recovered from his conscious possession. It is next submitted that the injury of the informant does not corroborate with the allegation levelled in the FIR as the injury is said to have been caused by hard and blunt object. It is lastly submitted that the petitioner has three criminal antecedents and is in custody since 18.02.2025.

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

6. Considering the aforesaid submissions of the parties and taking into account the fact that the allegation of firing is not supported by the injury inflicted upon the informant and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur, in connection with Chakmehsi P.S. Case No. 178 of 2024, subject to the following conditions:-



*(i) One of the bailors will be close relative of the petitioner.*

*(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*

*(iii) 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 canceled by the Court concerned.*

*(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.*

*(v) The learned 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 above-mentioned order shall not be delayed for purpose of or in the name of verification.*

7. The application stands allowed.

**(Sourendra Pandey, J)**

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