

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34631 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- GAYA KOTWALI District- Gaya

Tunna Kumar S/O Shashi Prasad @ Sashikant R/O Janta School, Murli Pahar,
P.s.- Kotwali, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Kotwali P.S. Case No. 85 of 2025, lodged on 19.02.2025, under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 324(4), 303(2), 352 & 351(2) of the BNS, 2023 and under Section 25(1-b)(a), 26 & 27 of the Arms Act.

3. As per the prosecution, F.I.R. has been lodged against nine named accused persons, including the present petitioner, alleging that they, in connivance with each other and armed with weapons, entered the house of the informant and started indiscriminate firing. There are further allegations that the informant's brother and mother were assaulted with the butt of a firearm. Additionally, it is alleged that Rs. 65,000/- in cash



and gold ornaments were snatched. Upon receiving a call, the administration arrived, at which point all the accused persons fled from the spot. It has been indicated that the entire incident was recorded on CCTV. From the place of occurrence, one katta, three empty cartridges, and one live cartridge were recovered by the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the petitioner's name has been inserted in this case due to allegations made by the Ward Councillor of Ward No. 11 against the informant, and the petitioner, being a supporter of the co-accused, has been falsely implicated. Counsel further submits that there is nothing specific against the petitioner and he has clean criminal antecedent. It is also submitted that the petitioner has been in custody since 20.02.2025 and is ready to comply with any condition that may be imposed by this Court.

5. Learned APP for the State opposes the prayer for bail and submits that there is a serious allegation of indiscriminate firing, and one katta, three empty cartridges, and one live cartridge were recovered from the place of occurrence.

6. In the present facts and circumstances of this case



and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed,** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. Case No. 85 of 2025, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

Aman Kumar/-

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