

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35182 of 2025

Arising Out of PS. Case No.-821 Year-2024 Thana- GAYA MUFASIL District- Gaya

Rahul Kumar @ Anda Son of Ajay Ram @ Rajay Rawani Resident of
mohalla - Sidharthpuri Colony, Road No.- 1, Manpur, P.S.- Mufassil, District
- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Mufassil P.S. Case No. 821 of 2024 registered for the alleged offences under Sections 109, 318, 352, 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, on a dispute over land of the passage, the petitioner fired upon the informant but the shot missed him. In subsequent firing by the petitioner, the mother of the informant received some injury.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken



place. The petitioner never opened fire and the fact of the matter is that the informant himself fired upon the petitioner but the shot missed him and hit the mother of the informant. Though the petitioner has been apprehended from the spot but no firearms has been recovered from his person or possession. The family of the informant has illegally taken possession of the land of a *khatal* (cowshed) and as the petitioner wanted to purchase the said land, he has been falsely implicated in this case in order to put pressure on him. The petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 26.11.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner that he fired upon the informant and another shot hit to the mother of the informant who received injury on her forehead.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Judicial Magistrate 1st Class, Gaya/court concerned in connection with Mufassil P.S. Case No. 821 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

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

