

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33316 of 2025

Arising Out of PS. Case No.-535 Year-2023 Thana- KHAGARIA District- Khagaria

Jitendra Kumar Priyadarshi @ Guddu Paswan S/o Ramotar Paswan Resident
of Vill.- Bhadas South, P.S.- Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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

ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khagaria (Muffasil) P.S. Case No. 535 of 2023 instituted for the
offences under Sections 302/34 of the Indian Penal Code and 27
of the Arms Act.

3. The petitioner has earlier moved before this Court
with a prayer for anticipatory bail which was rejected by this
Court vide order dated 19.03.2025 passed in Cr. Misc. No.
16977 of 2025.

4. The prosecution case, in short, is that while the
informant along with his brother was at a shop, the accused
persons, variously armed, came at the shop and surrounded



them. It is further alleged that one Manoj Kumar Gupta fired upon his brother and other accused persons indiscriminately fired at the brother of the informant due to which he died.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that the specific allegation of firing is attributed to one Manoj Kumar Gupta. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. The petitioner has no criminal antecedent and is in custody since 16.04.2025. He further submits that the co-accused Milan Kumar has already been granted bail by this Court vide order dated 26.04.2024 passed in Cr. Misc. No. 13391 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that there is allegation of firing against the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner



and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Khagaria (Muffasil) P.S. Case No. 535 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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