

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34775 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- PURAINI District- Madhepura

Niranjan Kumar Bhagat @ Bablu S/o Late Manik Chand Bhagat Resident of
village- Madhali, Diyara Ward No 11, PS- Alamnagar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 02-12-2025 Heard learned counsel for the petitioner and Mr.
Sanjay Kumar Pandey, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 109, 103(1) and 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that, on 31.07.2024 at about 8:30 A.M., the son of the informant, namely, Chandra Shekhar Jha was going to his school on his motorcycle. In the meantime, the petitioner and the co-accused persons intercepted him and the petitioner fired at him which hit in the back of the son of the informant. It is further alleged that the son of the informant called the informant and informed him that the petitioner has fired at him. Thereafter, the villagers took the son of the informant to the hospital, subsequently, he died



during course of the treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR it is clear that the informant has come to know about the occurrence from the mobile call of the deceased. From perusal of the case diary it is evident that the witnesses have stated that the deceased has called the principal of his school where he was working and it is very surprising that the statement of the principal of that school has not been recorded and there is no CDR to connect or to fortify the statement of the informant that the deceased has made a call to him. It has also been submitted that he has been impleaded in this case only on the ground of mobile call but there is no material on record to show that actually any call was made by the deceased to the informant or the principal. Moreover, the petitioner is languishing in judicial custody since 02.08.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and submitted that petitioner is having criminal antecedent of nine cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Puraini P.S. Case No. 147 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX, Madhepura/concerned Court below.

7. Accordingly, the application stands allowed.

(Ashok Kumar Pandey, J)

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