

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82627 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

Vikky Rain @ Tanveer Alam Son of Kalam Rain R/o Village - Mohania, Ward
no. 11, P.S. - Mohania, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Parwej Khan, Advocate
For the State : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 109, 103 and 3(5) of the
B.N.S. and Section 27 of the Arms Act and later on, Section 61
of the B.N.S. and Sections 25(1-b)a, 26 and 27 of the Arms Act
were added.

3. The prosecution case, in brief, is that informant's
elder son, namely Tarkeshwar Paswan, went to Khajura Bazar
with Krishna Paswan and Rishikesh Paswan. After sometime,
informant came to know that there was firing at Khajura Bazar,
when the informant reached there, he saw his son was lying
dead and blood was oozing from his head, leg and hand. Upon
inquiry, Rishikesh Paswan told him that one Baleno Car having



Reg. No. BR06CN-6987 came there in which five persons namely, Md. Danish, Md. Nehal, Santosh Kumar, Afroz and Saheb Paswan were seated and they made indiscriminate firing. Md. Nehal shot Tarkeshwar and in course of rescue Krishna Paswan got injured.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Informant is not eye witness of the occurrence. Petitioner is not named in the F.I.R.. Name of petitioner transpired in this case during course of investigation merely on the basis of confessional statement of co-accused Arman Alam, who has already been granted bail by this Hon'ble Court vide order dated 04.11.2025 passed in Cr. Misc. No. 67138 of 2025. Save and except confessional statement, there is no other direct or indirect evidence against the petitioner to show his complicity in the occurrence. Petitioner, having no criminal antecedents, is in custody since 27.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and period of custody, the prayer for grant bail of to the



petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IInd, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 150 of 2025.

(Prabhat Kumar Singh, J)

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