

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37982 of 2025

Arising Out of PS. Case No.-187 Year-2024 Thana- RAJEPUR District- East Champaran

Prem Kumar @ Prem Chandra Prasad S/o Late Ram Charitra @ Ram Charitra
Bhagat Resident of Village- Bara, PS- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Usha Kumari, Adv.
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP
For the Informant	:	Mr. Dhannjay Kumar II, Adv.

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

ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with Rajepur
P.S. Case No. 187 of 2024 (G.R. No. 5443 of 2024) instituted
for the offences under Sections 109, 351(2), 3(5) of the Bhartiya
Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the accused persons
including the petitioner surrounded the Informant and fired
twice with pistol on him causing gunshot injuries to his leg and
head.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



The petitioner has not committed any offence as alleged in the F.I.R. He further submits that there is delay of twelve days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of firing is against the co-accused Sanjay Prasad. There is no eye-witness to the alleged occurrence. The petitioner has two criminal antecedents as has been stated in Para-3 of the supplementary affidavit and is languishing in judicial custody since 06.03.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also the period of custody of the petitioner, 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 Rajepur P.S. Case No. 187 of 2024 (G.R. No. 5443 of 2024).

(Rudra Prakash Mishra, J)

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