

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37924 of 2025

Arising Out of PS. Case No.-402 Year-2024 Thana- NAUBATPUR District- Patna

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Kunkun Kumar @ Jayram Son of Late Dinesh Singh Resident of Jamalpura,
P.S- Naubatpur, District- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 08-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 402 of 2024 registered for the offences under Sections 126(2), 115(2), 118(1), 74, 109, 352 and 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. The petitioner is named in the F.I.R. and is in custody since 21.07.2024.

4. The allegation against the petitioner is to open fire upon informant during the occurrence, which missed him and caused injury to his mother.

5. Learned counsel appearing on behalf of the petitioner submitted that both parties are agnates and out of petty neighborhood issues as mentioned in FIR, present occurrence took place. It is submitted that upon facial perusal of FIR it can be gathered safely that the petitioner was not under intention to kill mother of the informant, rather he targeted informant, but as he



bend down same hit to the stomach of his mother, who was not intended to kill. It is submitted that in view of same no case appears made out under Section 109 of the BNS against petitioner. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as prima-facie petitioner not appears intended to kill mother of the informant, coupled with the fact as petitioner remains in custody since 21.07.2024, accordingly above named petitioner, is directed to be released on bail in connection with Naubatpur P.S. Case No. 402 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Danapur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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