

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39577 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- NADI P.S. District- Patna

Neeraj Kumar @ Niraj Kumar Son of Gopal Rai @ Gopal Prasad R/O
Village- Jethuli, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan, Adv.
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Vijay Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the Informant. Perused
the case diary.

2. The petitioner has earlier moved before this Court with
a prayer for the bail but, the same was dismissed as withdrawn
vide order dated 17.01.2025 passed in Cr. Misc. No. 78527 of
2024.

3. The petitioner seeks bail in connection with Nadi
P.S. Case No. 80 of 2024 instituted for the offence under
Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code
and Section 27 of the Arms Act.

4. Prosecution case in short is that accused persons
have fired upon the brother of informant leading to his death.



5. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.01.2025. Petitioner bears five criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

6. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation alleged against the petitioner rather allegation is general and omnibus in nature. The specific allegation of firing is attributed to co-accused, namely, Dhiraj Kumar. There is no eye-witness to the alleged occurrence. Learned counsel for the petitioner lastly submits that police after investigation has already submitted charge sheet in this case. Learned counsel for the petitioner further submits that the co-accused Sanjay Kumar and Rahul Kumar have already been granted bail by this Hon'ble Court vide order dated 21.11.2024 and 31.01.2025 passed in Cr. Misc. Nos. 65687 of 2024 and 69315 of 2024 respectively.

7. Learned A.P.P. for the State and Informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that from perusal of the postmortem report, it would reveal that cause of death is hemorrhage and shock due to fire arm injury. Informant in his restatement has also supported



the prosecution case.

8. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no direct allegation against the petitioner even in the case diary, charge sheet being submitted as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioner.

9. Let the petitioner 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 Nadi P.S. Case No. 80 of 2024.

(Rudra Prakash Mishra, J)

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