

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38048 of 2025

Arising Out of PS. Case No.-610 Year-2024 Thana- NAUBATPUR District- Patna

=====

Gulshan Kumar S/o Jai Prakash Singh R/o Vill- Pachasa, P.S.- Rahui, Distt-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

=====

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

ORAL ORDER

5 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 610 of 2024 instituted for the offences under Sections 126(2), 115(2), 103(1), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that accused persons killed the informant's son under conspiracy when he had gone to his matrimonial home to bring back his wife.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of



the co-accused which has not evidentiary value in the eye of law. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner is neither the relative nor the friend of the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.02.2025 and has no criminal antecedent. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 16.07.2025 passed in Cr. Misc. No. 43473 of 2025.

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

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Naubatpur P.S. Case No. 610 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

