

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46990 of 2025

Arising Out of PS. Case No.-115 Year-2023 Thana- SULTANGANJ District- Bhagalpur

Bishwajit Kumar @ Bishwa S/O Uma Sanker Mandal Resident of Village-
Gandhipur, P.S.- Bariyarpur, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Sultanganj P.S. Case No. 115 of 2023 registered for the offence under Sections 326, 307, 120B, 34 of I.P.C. and Section 25(1-b)a, 26, 27 of Arms Act.

3. The petitioner is named in the F.I.R. and is in custody since 16.02.2025.

4. As per FIR, named co-accused alongwith some unknown open fire upon the father of the informant causing fire arm injury, where occurrence is alleged to be arising out of local political differences.

5. Learned counsel appearing on behalf of the



petitioner submitted that the person who fired upon the father of the informant was apprehended on spot by public and disclosed his name as Prashant Kr. Mandal and has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 62295 of 2023 through order dated 29.01.2024. It is pointed out that person who found fleeing on motorcycle namely, Anant Kumar also granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 60570 of 2023 through order dated 12.09.2023. It is submitted that petitioner was admittedly not present at spot and his name implicated only on the basis of suspicion as one of the conspirator.

6. Explaining the criminal antecedent, it is submitted that petitioner found involved in five more criminal cases mostly of petty nature, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.



8. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement of apprehended co-accused namely Prashant Kr. Mandal, *prima-facie* nothing incriminating appears during investigation as to suggest involvement of petitioner with present crime in question, coupled with fact that investigation of this case already completed where petitioner remains in custody since 16.02.2025, accordingly petitioner above named, is directed to be released on bail in connection with Sultanganj P.S. Case No. 115 of 2023 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 1st Class, Bhagalpur /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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