

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40788 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Ujjawal Kumar Son of Jitendra kumar Resident of vill- Kaswa Kadamwa P.S-
Ghorasahan , Dist-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Adv.
For the Opposite Party/s : Mr.Harendra Prasad, APP

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

ORAL ORDER

5 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Ghorasahan P.S. Case No. 40 of 2025 instituted for the offences
under Section 309(2) of the B.N.S. and Section 27 of the Arms
Act.

3. As per prosecution case, some of the miscreants
tried to snatch the bag of the informant containing Rs.
1,15,000/-. When the informant protested for the same, the
miscreants put him down upon the earth and opened fire.

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



due to highhandedness of the police. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was not apprehended on the spot and his name has surfaced in this case on the confessional statement of the co-accused Sunny Kumar. Except confessional statement of the co-accused, there is nothing adverse against the petitioner in the entire record of the case. The petitioner has not been put to T.I.P.. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 06.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submits that the prayer for bail of the co-accused Sunny Kumar has already been rejected by a Co-ordinate Bench of this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 51320 of 2025. He further submits that the co-accused Sunny Kumar has confessed his guilt of being involved in the alleged occurrence and has also taken the name of the present petitioner. From perusal of Para 30 of the case diary, it appears that on the information of the petitioner along with co-accused Sunny Kumar, two loaded pistol has been recovered. From Para



27 of the case diary, it appears that the looted amount of Rs. 5,000/- has been recovered from the pocket of the petitioner.

6. Having heard learned counsel for the parties and taking into account the nature and gravity of the offence as also the materials available in the case diary, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected at this stage.

(Rudra Prakash Mishra, J)

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