

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42682 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- PHULWARIA District- Begusarai

Manjesh Kumar Son of Upendra Ram, R/o Village- Phulwaria, Baro Bhitha,
Ward No. 26, P.S.- Phulwaria, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Phulwaria P.S. Case No. 15 of 2025, dated 02.02.2025 registered for the offences punishable under Section 103(1) read with Section 3(5) of the BNS and under Section 27 of the Arms Act.

3. As per the prosecution case, on 01.02.2025 at about 04:45 PM, while the informant was returning to his house he saw his son and nephew were talking with other friends. Thereafter, informant's nephew came to him and informed him that a dispute arose between his son and other persons and one Piyush Kumar is armed with a pistol, in the meantime, sound of



firing was heard and informant saw that Rahul Kumar armed with a weapon and Piyush Kumar were running towards the house of Piyush Kumar. It is further alleged that informant found his son Rahul Kumar lying on the ground and blood was oozing out from his forehead and an empty cartridge was also found there. The son of informant succumbed to his injury.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. rather petitioner was arrested in Phulwaria P.S. Case No. 16 of 2025 and from this case he has been remanded in the present case. From perusal of FIR, it is evident that petitioner was not present at the place of occurrence. Nothing has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation against the petitioner, rather the specific allegation of firing is against the co-accused persons namely, Rahul Kumar and Piyush Kumar. The petitioner has got one criminal antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 02.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and



circumstances of the case as well as petitioner's period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai, in connection with **Phulwaria P.S. Case No. 15 of 2025**, on further condition:

(i) *The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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