

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45005 of 2025

Arising Out of PS. Case No.-273 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Adarsh Kumar @ Funnu @ Funni Ji, S/o- Mukesh Keshri Village-
Maheshkhunt English, P.S.- Maheshunt Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate.
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioner seeks bail, apprehending his arrest, in connection with Maheshkhunt P.S. Case No. 273 of 2023, dated 19.12.2023 registered for the offences punishable under Sections 386, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation, the informant suffered firearm injury at the hands of two persons with mask on their face. Twenty days prior to the occurrence, the informant has also lodged FIR against unknown persons for demanding ransom.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the FIR was lodged against



unknown persons and the petitioner happens to be the co-villagers of the informant and had he been involved in the alleged offence, he must have been identified by the informant even if he might be wearing mask.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Maheshkhunt P.S. Case No. 273 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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