

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49469 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- NARDIGANJ District- Nawada

Surendra Ram @ Surendra Prasad S/o Late Baleshwar Ram @ Balo Ram Vill.
- Dhaniyawan, P.S. - Nardiganj, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

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

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

ORAL ORDER

3 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nardiganj P.S. Case No. 49 of 2025 instituted for the offences under Sections 126(2), 127(2), 115(2), 109, 74, 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the accused persons including the petitioner and two unknown persons came with arms in hand and began to fire and attacked on the informant and his wife. Thereafter, co-accused Randhir Kumar fired with arms at the informant and informant's wife. When Sujit Kumar came for rescue, Randhir Kumar also attacked on him by means



of Pasuli.

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. Both the parties are co-villagers and next door neighbour. There is a case and counter case between the parties. In the alleged occurrence, both the parties sustained injuries. He further submits that in the alleged occurrence, though there is an allegation of firing but, no one sustained any fire-arm injury. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has two criminal antecedents and is languishing in judicial custody since 07.02.2025 without any rhymes or reason.

5. Learned counsel for the petitioner has filed supplementary affidavit bringing on record the injury report of injured Akash Kumar and Rajendra Prasad. He further submits that from the injury report, it appears that the injuries have been caused by hard and blunt substance and the same are simple in nature. It has further been stated that charge-sheet has been submitted against the petitioner and minor Randhir Kumar for offence under Sections 127(2), 115(2), 109, 74, 352, 35(2), 3(5)



of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Nardiganj P.S. Case No. 49 of 2025.

(Rudra Prakash Mishra, J)

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