

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45300 of 2025**

Arising Out of PS. Case No.-138 Year-2025 Thana- RAGHOPUR District- Supaul

Jeevachh Kumar @ Jeebachh Kumar Son of Laldev Yadav village- Ward no. 4, Bharmatola, Hulas, Ps- Raghapur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N. K. Agrawal, Sr. Advocate Ms. Diksha Kumari, Advocate Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :	Mr. Humayou Ahmad Khan, APP

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

ORAL ORDER

3 18-09-2025 Heard learned senior counsel for the petitioner,
learned APP for the State and Perused the case diary.

2. The petitioner seeks bail in connection with Raghapur P.S. Case No. 138 of 2025, instituted for the offences under Sections 309(5), 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case is that while returning home on motorcycle, the informant and his brother were chased and attacked near Darhara Temple, where accused persons fired thrice on his brother causing serious injuries. One assailant, Niraj Kumar Yadav, was apprehended by villagers at the spot, who disclosed the names of his absconding companions as



Jeewach Kumar (petitioner herein) and Kundan Kumar.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel also submits that petitioner has got no concern with the alleged incident and name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Neeraj Kumar and the same has got no evidentiary value. Learned counsel further submitted that the allegation of firing is general and omnibus in nature, however, during course of investigation, it has cropped that co-accused Kundan fired on the informant's brother. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.05.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 17.09.2025 passed in Cr. Misc. No. 44745 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody



undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Raghapur P.S. Case No. 138 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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