

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45432 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- Rangara District- Bhagalpur

Samarth Kashyap @ Sintu Patrakar @ Sintu Jha @ Patrkar S/O Bedanand Jha
Village- Bhawanipur, P.s.- Rangra, District- Bhagalpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner and Md.
Matloob Ram, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 103(1), 61(10 and 3(5) of the BNS and under Section 27 of the Arms Act.

3. The case of the prosecution is that Karan Poddar, Shubham Mishra, Mushi Yadav and Samarth Kashyap (the petitioner) were having talks near the well situated near Bhawanipur Kali mandir. Meanwhile the informant heard noise of firing. When he went near the well, he found that Karan Poddar and Shubham Mishra both have received gunshot injury and they were in a pool of blood. After that police also arrived.

4. Learned counsel for the petitioner has submitted that from perusal of the FIR itself it is clear that the informant is not the eye-witness. During course of investigation one Munshi Yadav has given his confessional statement and in his confessional statement he has stated that Shubham Mishra fired



at Karan Poddar indiscriminately due to which he fell down. In this case two persons have died. They are Karan and Shubham Mishra. This petitioner has also given his statement during investigation and the statement which has been given by this petitioner is the same as the confessional statement of Munshi Yadav. Learned counsel for the petitioner has submitted that though confessional statement is not a material yet if the confessional statement is taken to be true, then also there is no allegation of firing against this petitioner.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer of bail to the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rangra P.S. Case No. 60 of 2025 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM- 1st, Naugachhiya, Bhagalpur.

(Ashok Kumar Pandey, J)

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