

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46585 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- BARHARA District- Bhojpur

1. Amit Singh @ Abhinav Kumar @ Abhinav Singh S/o Harendra Singh
Resident of vill- Bindgawa, P.S- Barhara, Distt.- Bhojpur
2. Manish Singh S/o Harendra Singh Resident of vill- Bindgawa, P.S- Barhara,
Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Barhara P.S. Case No. 48 of 2025, instituted for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 103(1) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. The prosecution case, in short, is that the petitioners along with other co-accused persons armed with weapon were present. It is specifically alleged that co-accused, Jitendra Singh fired at Dharmendra Rai due to which he fell down and died. It is further alleged that a double barrel gun was recovered from



the possession of co-accused person.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that no specific allegation has been attributed against the petitioners rather the same is general and omnibus in nature. The main thrust of allegation is against co-accused, namely, Jitendra Singh who has opened fire. It is next submitted that there is no eye witness of the said occurrence. The petitioners are in custody since 29.04.2025 and have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 01.07.2025 passed in Cr. Misc. No. 39221 of 2025.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barhara P.S. Case No. 48 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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