

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48612 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- KHAJEKALA District- Patna

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Gaurav Kumar S/o Sri Deva Nand Mahto R/o Mohalla - Lala Toli,
Mogalpura, ward no. 60, P.S.- Khajekalan, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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

ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Khajekalan P.S. Case No. 50 of 2025 instituted for the offence
under Sections 109 & 3(5) of the Bharatiya Nyaya Sanhita,
2023 and Section 27 of the Arms Act.

3. On 09.02.2025, Informant alleged that Sonu
Kumar, Rohit, Sahil Kumar, and petitioner first abused and
assaulted his brothers Arvind and Ravindra. Later at 7:30 PM,
the accused, along with Sonu's father, returned with armed, and
on Raju's order, Sonu shot Ravindra on the head and Sahil shot
Arvind on the arm.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 11-02-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation of firing against the petitioner, rather the same is attributed to co-accused Sonu and Sahil. There is general and omnibus allegation against the petitioner. Petitioner has no concern with the alleged occurrence. Police after completion of investigation has submitted charge sheet in this case. Other co-accused has been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 16-07-2025, passed in Cr. Misc. No. 43339 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Khajekalan P.S. Case
No. 50 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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