

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48384 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- KHARIK District- Bhagalpur

Roushan Kumar @ Roushan Singh @ Roushan Kumar Singh S/o- Late
Ramrup Singh Village- Ambho PS- Kharik Distt- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Pankaj Kumar Sinha, Advocate Mr.Rounak Kumar Singh Pankaj, Advocate
For the Opposite Party/s :	Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Kharik P.S. Case No. 01 of 2025 registered for the
offences under Sections 126(2), 115(2), 109, 74, 352, 3(5)
of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is named in the First
Information Report and is in custody since 01.01.2025.

4. Allegation against the petitioner is to open fire
upon the husband of the informant and also assaulted by
using butt of the pistol causing head injury.

5. It is submitted by learned counsel appearing on
behalf of the petitioner that from the face of FIR, it can be



gathered that petitioner was not under intention to cause death of husband of the informant/injured as despite of having availability of fire-arm in hand, the alleged assault was made by butt of the pistol. It is submitted that petitioner is neighbour of the informant, where the occurrence took place in a moment of spur out of neighborhood dispute and differences. It is also submitted that previous enmity is admitted through FIR itself.

6. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already completed and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. In view of the aforesaid factual submission and by taking note of the fact as FIR itself suggests that assault was alleged to be caused by the butt of the pistol causing head injury, coupled with the fact that petitioner remains in custody since 01.01.2025, where investigation of this case is already completed, accordingly, above-named petitioner is



directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Naugachia, district – Bhagalpur/concerned court, in connection with Kharik P.S. Case No. 01 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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