

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48464 of 2025

Arising Out of PS. Case No.-560 Year-2024 Thana- MURLIGANJ District- Madhepura

Rupesh Kumar, S/O Gugul Sah @ Ghughul Sah @ Dhudhul Sah R/O Village-
Bihariganj, Ward No. 1, P.S- Bihariganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Murliganj P.S. Case No. 560 of 2024 dated 29.12.2024 instituted for the offence punishable under Sections 309(6), 118(1), 109, 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the informant along with his niece was going to Murliganj Bazar on motorcycle to buy cake. In the way, three unknown miscreants on a Pulsar motorcycle came and stopped them and on the point of pistol, they tried to snatch the motorcycle of the informant. It is alleged that one of the miscreants opened fire upon the informant due to which he sustained firm arm injury on the right



side of his back.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Only on the basis of suspicion and confessional statement, the petitioner has been arrested in this case. Nothing has been recovered either from the conscious possession of the petitioner or from his house. No T.I.P. has been conducted till date. Except confessional statement, there is no material on record to connect the petitioner with this incident. Lastly, it has been submitted that the petitioner is in custody since 29.12.2024 having three criminal cases against him. Charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st, Madhepura in connection with Murliganj P.S. Case No. 560 of 2024, subject



to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
5. The petitioner shall appear before the Police Station of his local area in the first week of each



month till the framing of charge in this case.

(Khatim Reza, J)

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