

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52237 of 2025

Arising Out of PS. Case No.-214 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Aakash Kumar Son of Prithivi Raj Singh Resident of Waris Tola Nauwagarhi,
P.S.- Nayaramnagar, District – Munger. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 15-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Sessions

Trial No. 234/2025 arising out of Naya Ram Nagar P.S. Case No.

214/2023, registered for the offence under Sections 341, 323,

307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 27.05.2025.

4. As per FIR, allegation against the petitioner is to open

fire upon brother of the informant causing two gunshot injuries on

his stomach.

5. Learned counsel appearing on behalf of the petitioner

submitted that the informant is the eye-witness of the occurrence,

who specifically stated that his brother during the occurrence

received two gunshot injuries. It is submitted that petitioner is in



inimical terms with the informant as in one more criminal case, where petitioner said involved, registered as Naya Ram Nagar P.S. Case No. 31/2022 is with the same informant. It is submitted that the injured is also a person of criminal antecedents as he is involved in six cases and therefore, the occurrence which might be taken place somewhere else false implication of petitioner out of previous enmities cannot be ruled out.

6. Arguing further, it is submitted that upon medical examination only one gunshot injury was noticed, which creates a serious doubt *qua* version of eye-witness of the occurrence suggesting false implication. While concluding argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. It is also pointed out that charge in this matter already framed on 17.06.2025.

7. Learned APP duly assisted by learned counsel Mr. Surya Narayan Sah, appearing on behalf of the informant while opposing the prayer of bail submitted that the specific allegation of gunshot injuries is available against this petitioner.

8. Considering the aforesaid factual submissions and by taking note of contradictions as of number of injuries *qua* statement made by the informant/eye-witness and that of injury



report as issued by the doctor, where occurrence alleged to be raised in the background of previous enmities, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 27.05.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Sessions Trial No. 234/2025 arising out of Naya Ram Nagar P.S. Case No. 214/2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd, Munger/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS, with further conditions that:-

(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) If petitioner made any deliberate attempt to delay trial, State/informant shall be at liberty to press petition before the learned



trial court for cancellation of bail bond of the
petitioner by learned trial court itself, which
shall be decided by learned trial court, in
accordance with law after giving fair
opportunity to petitioner.

(Chandra Shekhar Jha, J)

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