

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49508 of 2025

Arising Out of PS. Case No.-518 Year-2024 Thana- PAKARIBARAW District- Nawada

1. Nitish Kumar S/O Ashok Singh R/o Village- Kabla, PO- Budhauli, PS- Pakriwarwan, District- Nawada.
2. Raj Kumar @ Chaman S/O Sidheshwar Mahto R/o Village- Kabla, PO- Budhauli, PS-Pakriwarwan, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar Singh No. 1, APP
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-09-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in connection with Pakribrawan P.S. Case No. 518/2024, registered for the offence under Sections 109, 118(2), 127, 191(3) of Bhartiya Nagrik Nyay Suraksha Sanhita, 2023 of B.N.S.S. read with Sections 25(1-B) (a), 27 & 35 of the Arms Act, 1959.

3. The abovenamed accused/petitioners are named in the F.I.R. and are in custody since 12.06.2025.

4. As per FIR, named co-accused persons alongwith petitioners assaulted informant and others and also firing was done during the occurrence.



5. Learned counsel appearing on behalf of the petitioners submitted that the allegation of firing is specifically available against co-accused Golu Kumar, whereas subsequently as an afterthought a general allegation raised that all persons who arrived at the place of occurrence opened fire. It is submitted that with said general and omnibus allegation of firing, these petitioners were implicated with present case, who are men of clean antecedents. It is submitted that the occurrence took place due to enmity arising out of PACS election.

6. Learned APP duly assisted by learned counsel Mr. Ram Prawesh Kumar, appearing on behalf of the informant while opposing the prayer of bail submitted that petitioners actively participated during the occurrence and were involved in firing.

7. Considering the aforesaid factual submissions and by taking note of fact as *prima facie* implication of petitioners appears under the garb of general and omnibus allegation of firing, who are men of clean antecedents and remains in custody since 12.06.2025, accordingly, abovenamed petitioners are directed to be released on bail in connection with Pakribrawan P.S. Case No. 518/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM 2nd, Nawada/concerned Court, subject



to the conditions as mentioned under Section 437(3) of the
Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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