

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52510 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- KHAIRA District- Jamui

Raushan Kumar @ Roushan Singh S/O Pappu Singh @ Raj Kishore Singh
Village- Sagdaha, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 19-11-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State.

2. The petitioner seek bail in connection with Khaira P.S. Case No. 49 of 2025 registered for the offences punishable under Sections 103(1), 3(5) of B.N.S. and 27 of the Arms Act to which later on Sections 25(1-b)a, 26(i)(ii), 35 of Arms Act have been added.

3. As per prosecution case, informant's son Satyam Kumar @ Chhotu was returning from tuition when petitioner along with Rajan Kumar @ Babua, Vishal Kumar and 6-7 unknown, who were members of a procession going to immerse the deity of Saraswati, stopped him and abused him. When Satyam Kumar @ Chhotu protested the same and asked as to why they were stopping him, at the behest of petitioner and co-accused Vishal, co-accused Rajan Kumar @ Babua fired on the



head of informant's son, as a result of which he got injured and fell down. Thereafter, the accused persons fled away and the informant, with the help of villagers, brought his injured son to P.H.C., Khaira for treatment. After examining the injured, the doctor referred him to Sadar Hospital, Jamui. The doctor at Jamui Sadar Hospital declared him dead.

4. Learned counsel for the petitioner submits that there is no allegation of firing against the petitioner rather the allegation of firing is against co-accused Rajan @ Babua and no specific overt act is attributed against the petitioner. Petitioner is merely order giver. Petitioner is having criminal antecedent of five cases out of which in four cases petitioner is on bail, as is evident from para-3 of the bail petition. Petitioner is in custody since 09.02.2025. Charge-sheet has already been submitted, there is no likelihood of tampering with the prosecution evidence.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that petitioner is the order giver and he cannot escape from the allegation made in the F.I.R. Apart from that, he has criminal antecedent of five cases. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the



case, period of custody, charge-sheet has already been submitted, there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 49 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(vi) Petitioner shall furnish mobile number at the time of furnishing bail-bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the



concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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