

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50794 of 2025

Arising Out of PS. Case No.-275 Year-2025 Thana- BARH District- Patna

Sudhanshu Kumar, S/o Kishor @ Raj Kishor Prasad, R/o Village- Umanath
Gosaimath, P.S.- Barh, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Barh P.S. Case No. 275 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. Allegedly on 24.04.2025 on account of some dispute with regard to exchange of money in between Raushan Kumar and Lallu, co-accused Lallu assaulted Raushan Kumar. On account of intervention of Rahul Kumar, he left the place and after two days i.e. on 26.04.2025 co-accused Lallu along with two others, including the petitioner, again came there. Lallu took out his pistol and resorted firing, which hit on the pole and thereafter caused injury over the wrist of the informant. On account of second firing made by Lallu, the petitioner who was



standing nearby, has sustained injury on his right leg. Thereafter all of them fled away leaving their bike.

4. Learned Advocate for the petitioner contended that in fact the name of the petitioner has been implicated in this case only on account of he being the friend of co-accused Lallu Kumar, however, he has nothing to do with the alleged occurrence. The story of receiving fire-arm injury over the leg of the petitioner is also incorrect, inasmuch, as during the course of investigation, no such injury has been found over the leg of the petitioner, as is evident from the impugned order. Taking this Court through the F.I.R., learned Advocate further contended that the entire allegation revolves around co-accused Lallu @ Gunga and there is not even whisper or overt act against the petitioner. The petitioner was not even found present on 24.04.2025 where co-accused Lallu @ Gunga was found assaulting Raushan. He further submits, be that as it may, now the dispute which has arisen on account of transaction of money that has also been settled between the parties and they do not want to proceed in the matter.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioner was also accompanying Lallu @ Gunga and, as such, his complicity



in the crime cannot be denied.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the fact that there is no overt act attributed against the petitioner, coupled with the finding of no injury over the leg of the petitioner, creating doubt over his presence, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh, Patna in connection with Barh P.S. Case No. 275 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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