

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51706 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- Mufassil District- Khagaria

Babish Kumar, S/o Sunil Kumar, R/o Village-Nayatola Rahimpur, P.S.-
Mufassil, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Muffasil P.S. Case No.58 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 118(2), 109, 352, 351(2) and 351(3) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is in custody since 24.04.2025.

4. Allegation against the petitioner is to open indiscriminate firing along with other co-accused persons to capture the land. The exchange of firing was made between



two rival groups.

5. It is submitted by learned counsel that altogether 20 co-accused persons were named in FIR along with unknown persons. It is pointed out that as this petitioner after seeing police party, started to flee, therefore, on the ground of suspicion, he was apprehended by police otherwise he was not involved in the occurrence of firing between two groups. It is submitted that even otherwise the allegation of firing is appearing very much general and omnibus and considering this aspect, the co-accused persons namely, Ajay Chaudhary and Navin Chaudhary have been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.59083 of 2025 and Cr. Misc. No.59522 of 2025 dated 12.09.2025 and, therefore, considering the parity, this petitioner also deserves bail. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner found involved in three more criminal cases, where he is on bail.



6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as the allegation *qua* firing is appearing very much general and omnibus, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 24.04.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Muffasil P.S. Case No.58 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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