

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55581 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- Baijnathpur District- Saharsa

1. Om Prakash Kumar @ Kaila @ Omparkash Kumar S/o Sikandar Yadav
Resident of village- Choghara, PS- Supaul, Distt.- Supaul
2. Sanjit Kumar S/o Jay Krishna Yadav Resident of village- Choghara, PS-
Supaul, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Baijnathpur P.S. Case No. 13 of 2025 for the offences registered
under Sections 309(4), 309(6), 109 of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of Arms Act.

3. As per the prosecution case, on the date of occurrence
four persons on two motorcycles came at Puja Fuels and got filled
up petrol worth Rs. 500/- and took out pistol and made firing on
the Nozzle man, Ajay Kumar, who was working at Nozzle No. 3,
but he narrowly escaped. The accused persons also snatched bag,
containing cash about Rs. 21,000/-, from the nozzle man.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this



case on the basis of suspicion. Petitioners were not present on the spot. They have not been put on Test Identification Parade till date. No one has sustained injury. Except the confessional statement of Petitioner No. 1, there is no material on record to show their complicity in the present case. No incriminating article has been recovered from possession of the petitioners. Petitioners have one criminal antecedent. They are in custody since 30.04.2025. Charge-sheet has already been submitted and there is no chance of tampering with the evidence or absconding of the petitioners. They undertake to co-operate in the trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioners.

6. Considering the submissions made on behalf of the parties and facts and circumstances of the case, let the petitioners, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saharsa in connection with Baijnathpur P.S. Case No. 13 of 2025.

(Sunil Dutta Mishra, J.)

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