

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54545 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- VISHNUPAD District- Gaya

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Kushal Kumar @ Kaushal Kumar S/O Sunil Ram R/O Village- Bairagi, P.S.-
Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharwan Kumar

For the Opposite Party/s : Mr. Amitesh Kumar- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-08-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 126(2), 115(2), 352, 351(2), 109, 3(5) of the B.N.S.
and Section 27 of the Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that in the Tilak Ceremony of his son, the
petitioner along with Akshay, Vicky and Banty were acting
inappropriately with female members, on objection by
informant and Manoj, they started abusing and assaulting.
Further, Rohit and Narendra also came and assaulted. It is next
alleged that when family members of the informant came to



save him, the petitioner fired causing firearm injury on right leg of the informant while Akshay fired causing firearm injury on chest of Manoj.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that though informant alleges that in the Tilak Ceremony of his son, the occurrence is alleged to have taken place, but then, the Tilak Ceremony was being performed by the petitioner with whose sister, the son of the informant got married. It is next submitted that it does not appear probable that petitioner would have fired at the informant, who was the would be father in-law of his sister. It is next submitted that it absolutely defies all logic, wisdom and reasonable administrative behaviour that petitioner in the Tilak Ceremony would have gone to the house of the informant with gun and thereafter would have acted inappropriately with the female members of the informant's family knowing very well that his sister was to get married in the family. It is also submitted that petitioner has no concern with Rohit, Akshay and Narendra rather they were from the side of the groom. It is also submitted that the date of occurrence is 29.04.2025 and the FIR came to be instituted on 01.05.2025. It is next submitted that



even the sister of the petitioner got married with the son of the informant. It is thus submitted that had the petitioner fired causing firearm injury to the father in-law of his sister, in that event, the marriage would not have been performed.

5. Learned A.P.P. opposes the anticipatory bail application, but then, fairly submits that it does not appear probable that petitioner being a brother would have committed such an occurrence knowing that his sister is going to get married with the son of the informant.

6. At this stage, the learned counsel appearing on behalf of the petitioner reiterates and submits that sister of the petitioner got married to the son of the informant on 15.07.2025. It is also submitted that petitioner will not abscond rather will cooperate in the investigation prove his innocence.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Gaya in connection with Vishnupad P. S.



Case No.133 of 2025, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, it is made clear that in the event, if any
application is filed by the Investigating Officer before the
learned trial Court bringing to its notice that petitioner, despite
giving assurance to this Court, is not cooperating in the
investigation or is not presenting himself as and when required,
the learned trial Court shall be at liberty to cancel the bail bonds
of the petitioner after recording reasons.

10. Let a copy of this order be sent to the
concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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