

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58608 of 2025

Arising Out of PS. Case No.-301 Year-2023 Thana- CHAKIA District- East Champaran

Rupesh Kumar @ Rupesh Singh S/o Anirudh Singh Resident of Village-
Sagar Churaman, P.S- Keshariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shruti Singh, Adv

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

7 19-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Sessions Trial No. 230 of 2024 arising out of Chakia P.S Case No. 301 of 2023 registered for the offences punishable under Sections 302/120B IPC and 27 of Arms Act.

3. As per allegation in the FIR, petitioner along with other co-accused persons came on one Apache motorcycle and opened firing on the son of the informant due to which the son of the informant sustained gunshot injury.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that this is second bail attempt of the petitioner. Earlier



the bail application of the petitioner has been rejected vide order dated 15.07.2024 in Cr. Misc. No. 5671 of 2024. On earlier occasion, status report has been called for.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, Status report and impugned order dated 25.01.2025, it appears that there are total 19 charge-sheeted witnesses out of which only two have been examined till date. Moreover, petitioner is in custody since 23.08.2023 i.e., approx two and half years. It appears that trial has not been completed yet. It also appears that other co-accused persons has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 82378 of 2023, 14943 of 2024 and 59796 of 2024. So, considering all aspect of the matter and the submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Motihari, East Champaran, Bihar in connection with Chakia P.S. Case No. 301 of 2023 subject to the condition that petitioner shall appear before the Trial Court on each and every dated fixed by the Trial Court. It petitioner



does not appear on two consecutive dates without any plausible reason, then Trial Court may cancel the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

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