

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64254 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- VAINI District- Samastipur

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Raj Kumar @ Raju Kumar @ Rahu @ Raju S/O Ramji Singh R/O Village-
Adharpur, P.S- Karpurigram, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Aprajita Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Waini
P.S. Case No. 35 of 2024, instituted for the offences punishable
under Sections 126(2), 115(2), 109(1), 352, 351(2), 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that when the
informant and his mother were going the *Haat* on motorcycle to
sell vegetable, they were waylaid by five motorcycle borne
culprits. It is alleged that one of the culprits namely Rohit
Ranjan Kumar fired gun shot but, no one sustained any gun-shot
injury as the same hit the tank of the motorcycle.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that the allegation levelled against the petitioner is general and omnibus in nature. Specific allegation of firing is against co-accused, Rohit Ranjan Kumar. No T.I. parade has been conducted in this case. The petitioner is in custody since 13.12.2024 and has got three criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 27.02.2025 passed in Cr. Misc. No. 84537 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Waini P.S. Case No. 35 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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