

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56303 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- GAYA KOTWALI District- Gaya

1. Sangam Kumar S/O Upendra Paswan Residing at Dom Toli, Murli Hill, Bairaga, P.S.-Kotwali, District-Gaya
2. Subab Kumar S/O Upendra Paswan Residing at Dom Toli, Murli Hill, Bairaga, P.S.-Kotwali, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Adv. Mr. Deepak Kumar, Adv. Ms. Isha Mishra, Adv.
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Kotwali P.S. Case No. 85/2025 dated 19.02.2025 registered for the offence punishable u/s 191(2), 191(3), 190, 126(2), 115(2), 109, 324(4), 303(2), 352, 351(2) of the B.N.S. and Sections 25(1-B)(a), 26 and 27 of the Arms Act.

3. As per the prosecution case, the petitioners and the co-accused persons holding weapons entered the house of the informant and started firing. Thereafter, they assaulted the informant's mother and brother from the butt of the pistol.



Further, the petitioners and the co-accused persons looted Rs. 65,000/-, gold chain and other articles from the house of the informant. When the police reached at the place of occurrence, one *katta* and three empty cartridges and one live cartridge were recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case on account of village politics. There is no specific allegation against the petitioners rather the allegation against the petitioners are general and omnibus in nature. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have three criminal antecedents as stated in para 3 of the bail petition. The co-accused persons has been granted regular bail by this Court vide order dated 01.07.2025 passed in Cr. Misc. No. 38295 of 2025

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the



like amount each to the satisfaction of the learned court concerned, Gaya in connection with Kotwali P.S. Case No. 85/2025, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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