

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56075 of 2025

Arising Out of PS. Case No.-518 Year-2024 Thana- PAKARIBARAW District- Nawada

Rahul Kumar, S/o Ashok Singh, R/o Village-Kawala, P.O.-Budhauri, P.S.-
Pakariborawan, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Pakribawan P.S. Case No.518 of 2024 registered for the
offences punishable under Sections 109, 118(2), 127 and
191(3) of the Bhartiya Nyaya Sanhita (for short 'B.N.S.') as
well as Sections 25(1-B)(a), 27 and 35 of the Arms Act.

3. The accused/petitioner is named in the FIR and
is in custody since 28.06.2025.

4. As per FIR, named accused persons along with
petitioner assaulted the informant and others and also firing
was alleged to be done during the occurrence by petitioner
along with other co-accused persons.



5. It is submitted by learned counsel appearing for petitioner that present occurrence took place in the background of dispute arising out of PACCS election, where petitioner was implicated falsely out of political rivalry. It is submitted that the allegation to cause firearm injury is available against co-accused Golu Kumar. It is submitted that though this petitioner was alleged to open fire but, same did not cause any injury to any one during the occurrence. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner found involved in one more criminal case of similar nature, where he is on bail.

6. Learned APP duly assisted by Mr. Ram Parwesh Kumar, learned counsel for the informant while opposing the prayer of bail submitted that the allegation of firing is against the petitioner also.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* allegation of causing firearm injury is not available against this petitioner, where



occurrence alleged to be arising out of PACCS election, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 28.06.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-2nd, Nawada/concerned Court in connection with Pakribrawan P.S. Case No.518 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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