

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58314 of 2025

Arising Out of PS. Case No.-58 Year-2023 Thana- GANDHIMAIDAN District- Patna

Bittu Kumar @ John @ Joyan @ Satyam Kumar S/O Umakant Sharma R/O
Village- Kahua, P.S- Sangrampur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramji Kumar, Adv

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gandhi Maidan P.S. Case No. 58 of 2023 dated 27.01.2023 registered for the offences punishable u/ss 188, 302, 353, 427, 504, 506, 120B of the IPC, section 3 / 4 of the Prevention of Damage to Public Property Act and sections 25(1-B)a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, during the immersion of the Saraswati Idol, around 500 persons were moving and some of them were resorting to intermittent firing. Further, although the Police/Magistrate were there to control the law and



order, near S.K. Memorial Hall, Patna, the bullet fired by the mob hit one of the persons, who subsequently succumbed to the injury at PMCH, Patna.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is a member of the Sarswati Puja committee. There is no specific allegation of firing against the petitioner rather the allegation of firing is against the co-accused Naman Kumar @Bholu, Swaransh @ Kumar Abhinav, John @ Satyam Kumar and Shahil Raj @ Tishu. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court vide order dated 21.04.2025 passed in Cr. Misc. No. 18526 of 2025. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Gandhi Maidan P.S. Case No. 58 of 2023, with a condition:-

(i) The petitioner is 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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