

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61012 of 2025

Arising Out of PS. Case No.-244 Year-2025 Thana- PARSABAZAR District- Patna

Sahil Kumar S/o Shashi Kapur @ Shashi Prasad Resident of Village-
Mokimpur, P.S- Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Mishra

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-09-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Parsa Bazar P.S. Case No. 244 / 2025 dated 12.06.2025
registered under Sections 103(1) / 3(5) of the B.N.S. 2023 and
Section 27 of the Arms Act.

3. As per the F.I.R. on 11.06.2025 at about 10:00 O' Clock
one Rahul Kumar was making call over the mobile phone of the
informant's son namely, Sunny Kumar (deceased) to come for
the birthday party of his nephew. The deceased left his home
saying that he would come after attending the party. At about
1:00 O' Clock in the night the petitioner made a call upon the
phone number of the informant's house and said that
Madhusudan has assaulted her son brutally. Upon this
information, the informant and other family members came out



of the house and saw that one Rahul Kumar was driving the motorcycle and his son was sitting in the middle and one Kaushal Kumar was sitting at the back. The informant's son was taken to hospital where he was declared dead due to bullet injury on his chest.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely because he informed the informant regarding assault made upon her son by the co-accused / Madhusudan. He further submits that when the petitioner along with other co-villagers were watching a dance programme; a fight took place between the deceased and the co-accused / Madhusudan and the petitioner being a neighbour of the deceased had called his family members using his mobile phone. The deceased was a notorious criminal and he has been shot dead due to personal dispute with the co-accused / Madhusudan who is also a notorious criminal. There are five serious criminal cases pending against the deceased and the Police had proposed to impose CCA against the deceased also. The co-accused / Madhusudan is also having criminal background. The petitioner is a bright student and has passed B.A. (Hons.) in Geography in First Class in the Session 2021-24 and pursuing for competitive examination. The



petitioner is having no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the material on record, the fact that the deceased was having criminal background, the co-accused Madhusudan is also a person of criminal background and the petitioner is a student having no criminal antecedent, accordingly, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Pranav Kumar, Judicial Magistrate, Ist Class Patna / concerned court in connection with Parsa Bazar P.S. Case No. 244 / 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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