

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64458 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- KHIRI MORE District- Patna

Rahul Kumar @ Lalu Paswan @ Lalu S/O Sanjay Paswan, Resident of
village- Kochahsa @ Kochhasa, P.S- Kinjar, District- Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 16-12-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Khiri More P.S. Case No. 99 of 2025 dated 29.04.2025, registered for the offences punishable under Sections 126(2) and 109 read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, an unknown miscreant fired upon the informant and the shot entered into his chest after it hit on his shoulder. The miscreant also fired upon the brother of the informant when he went outside the shop from where the miscreant had purchased a towel. The name of the petitioner transpired during investigation for being involved in the occurrence.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has falsely been implicated in the present case. From the rejection order of Additional Sessions Judge-I, Danapur, it is apparent that in the CCTV footage, the assailant was identified as Sujit Kumar @ Sujit Mahto and name of this petitioner transpired during initial investigation. There is no allegation of opening fire against this petitioner. The petitioner is an acquaintance of co-accused Sujit Kumar and in all the cases where Sujit Kumar has been made accused, the petitioner has also been made accused as well. There is no material to show the complicity of the petitioner in the whole occurrence. No test identification parade has been conducted till today. Nothing incriminating has been recovered from person or possession of the petitioner. Learned counsel next submits that petitioner is having antecedent of five cases and he is on bail in all the said cases. Learned counsel lastly submits that petitioner is in custody since 06.06.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no allegation of opening fire against this



petitioner and further considering his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Court No. 1, Danapur, Patna / concerned Court, in connection with **Khiri More P.S. Case No. 99 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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