

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60730 of 2025

Arising Out of PS. Case No.-652 Year-2025 Thana- PHULWARISHARIF District- Patna

Shubham Kumar S/o Srikant Sharma @ Srikant Kumar R/o Village-
Gajachak, Mohammadpur, P.S.- Janipur (Phulwari), District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Kumar, Advocate
For the State	:	Mr. Md. Ataur Rahman, APP
For the Informant	:	Mr. Praveen Kumar, Advocate
		Mrs. Anju Kumari Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Phulwari Shariff (Janipur) P.S. Case No. 652 of 2025 registered for the offences under Sections 126(2), 115(2), 109, 352 and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per prosecution case, petitioner and other co-accused persons abused and assaulted the informant and made attempt on his life. One of the miscreants fired upon him but the shot missed the informant and the miscreants fled away from the spot. Thereafter, 3-4 firing were also made by the miscreants.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. True fact of the case is that the



informant and his brother have taken Rs. 6,00,000/- from the petitioner and entered into an agreement for sale on 05.04.2023 but even after passage of two years, the informant neither executed the registered sale deed nor returned the amount taken from this petitioner. In order to grab the land, the false case has been lodged by the informant. There is no specific allegation against the petitioner. Moreover, informant did not receive any injury in the firing. Co-accused Om Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 48595 of 2025. Petitioner is in custody since 23.06.2025 and charge-sheet has been submitted. Petitioner is having antecedent of one case in which he is on bail.

5. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that there is specific allegation against the petitioner and others that they opened fire upon the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and vague nature of allegation against the petitioner and further considering the absence of any injury on the informant



and also considering the period of custody of the petitioner and submission of charge-sheet, 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 A.C.J.M.-IV, Patna/concerned court in connection with Phulwari Shariff (Janipur) P.S. Case No. 652 of 2025, subject to the conditions mentioned in 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.
- (iii) In case of absence on three consecutive dates 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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