

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61990 of 2025

Arising Out of PS. Case No.-572 Year-2024 Thana- ALAMGANJ District- Patna

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Varun Kumar @ Barun Kumar S/O Bablu Prasad @ Mukesh Kumar Resident
of Mohalla - Durga Charan Lane, Balwarganj, P.S. - Alamganj, District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-09-2025 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 Alamganj P.S. Case No. 572 of 2024, registered for the offences under Sections 121(2), 132, 109, 3(5) of the BNS and Section 27 of the Arms Act.

3. As per the prosecution case, secret information was received about three armed persons standing besides a motorcycle for carrying out some serious offence and the police party reached there. On seeing the police party, all three miscreants started running away leaving behind the motorcycle. When the police gave them a chase, they opened fire and taking advantage of darkness made good their escape. From the spot,



recovery of two spent cartridges were made. Later on the name of the petitioner transpired in this case for being involved in the said occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and he has got no complicity in the alleged occurrence. The petitioner was not arrested from the spot and nothing incriminating has been recovered from his person or possession. Only material against the petitioner is confessional statement of co-accused and apart from that nothing has come up on record to connect the petitioner with the offences as alleged. The petitioner has not even been put to any Test Identification Parade. The petitioner is having antecedent of ten cases and he is on bail in six such cases. The petitioner has been remanded in the present case on 11.09.2024. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner and other co-accused persons opened fire on police party when they found themselves surrounded.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the



submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Patna City, Patna/concerned court, in connection with Alamganj P.S. Case No. 572 of 2024, subject to the condition laid down under Section 480(3) of the BNSS 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 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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