

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64287 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- GARKHA District- Saran

Shiv Raj Singh@ Shivraj Singh @ Shiv Shankar Kumar Singh@ Shiv
Shankar Kumar S/O Late Chandrama Singh Resident of Village- Maiki, P.S.-
Garkha, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyanchal Singh, Sr. Advocate Ms. Nikita Mittal, Advocate Mr. Kumar Pritam, Advocate
For the Opposite Party/s :		Mr. Rajendra Singh Shastri, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Garkha
P.S. Case No. 28 of 2025, instituted for the offences punishable
under Sections 191(2), 191(3), 126(2), 118(1), 103(1), 352,
351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons stabbed brother of the
informant, leading to his death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the allegation against the



petitioner is general and omnibus in nature. No specific allegation has been attributed against the petitioner. There is delay of two days in lodging the FIR. It is further submitted that specific allegation of stabbing is against co-accused, Gulshan Kumar. The petitioner is in custody since 28.06.2025 and has got two criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 26390 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garkha P.S. Case No. 28 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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