

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62206 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- Piplawa District- Patna

Rishu Kumar @ Rishu Raj Kumar @ Rishu Raj S/O Ranjay Kumar R/O
Village- Sharampur, P.S- Piplawan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Baitha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

3 26-09-2025 Heard Mr. Kumar Baitha, learned counsel for the
petitioner and Mr. Choubey Jawahar, learned APP for the State.
Perused the case diary.

2. The petitioner seeks bail in connection with Piplawan
P.S. Case No. 151 of 2024 instituted for the offences under
Sections 331(4), 305, 103(1) & 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on 30.10.2024, the
brother of the informant was found dead with gunshot injuries
and sharp weapon injuries. It is further alleged that 6-7
unknown persons committed dacoity by breaking into the house,
looted gold and silver worth Rs. 25-30 lakhs and murdered his
brother.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation on the basis of suspicion. There is no eye-witness to the occurrence. Learned counsel further submitted that during investigation, no cogent material against the petitioner has come to show his involvement in the alleged offence. He further contended that the accused persons have no intention to kill the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.11.2024 and has three criminal antecedents. Other co-accused has been granted bail by this Court vide order dated 06-08-2025, passed in Cr. Misc. No. 28079 of 2025.

5. Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no direct allegation against the petitioner in the case diary to show his involvement in the alleged occurrence as also 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 Piplawan P.S. Case No. 151 of 2024, subject to the following conditions:

- (I) One of the bailors shall be own/close member of the family of the petitioner.
- (II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.
- (III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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