

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65492 of 2025

Arising Out of PS. Case No.-292 Year-2024 Thana- PALIGANJ District- Patna

Abhishek Kumar, Son of Sanjay Sharma, R/o Village - Bhagjoga, P.S. - Paliganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 103, 61(2) read with Section 3(5) of the BNS and Section 27 of the Arms Act.

3. As per the prosecution story, it is alleged that co-accused, Chintu Pandey, took away the informant's younger brother, namely, Ravi Kumar, with him and when his brother did not return and his mobile was found to be switched off, then informant, Abhay Sharma, started searching his brother, then he saw that his brother was surrounded by the accused persons. It is further alleged that the co-accused Ajit Kumar Sharma and his brother Amrendra Kumar shot at informant's brother due to which he sustained firearm injury and succumbed, they also



tried to kill the informant, but he managed to save himself.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of overt act against the petitioner. It is further submitted that the allegation of firing upon the brother of the informant is against co-accused persons Ajit Kumar Sharma and Amrendra Kumar. The allegation against the petitioner is that he accompanied the co-accused persons. He further submits that similarly situated co-accused have already been granted regular bail by a coordinate Bench of this Court vide order dated 20.06.2025 and 04.08.2025 passed in Cr. Misc. No. 34529 of 2025 and Cr. Misc. No. 8773 of 2025 respectively. Petitioner has no criminal antecedents. He is in custody since 02.08.2024. Petitioner undertakes to cooperate in the trial of the case.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, the submissions of learned counsel for the parties and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned court concerned, Danapur, Patna in connection with Sessions Trial No. 68 of 2025 arising out of Paliganj P.S. Case No. 292 of 2024 with further conditions:-

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(ii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Sunil Dutta Mishra, J)

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