

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66716 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- VIDYAPATINAGAR District- Samastipur

Krishna Murari Son of Ashok Garayn R/o Village - Sherpur, Police Station -
Vidyapatnagar, District – Samastipur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-10-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Vidyapatnagar P.S. Case No. 34 of 2025 instituted under Sections 126(2), 115(2), 109(1), 352, 351(3), 3(5) of the Bhartiya Nayay Sanhita, 2023 read with 27 of the Arms Act lodged on 16.03.2025 by the informant, Satyam Kumar.

3. As per the prosecution story, during the ‘Holi Festival’, when the informant side were playing near a temple, Suman Choudhary and Raman Chaudhary opened fire causing injury to the informant. Raman Chaudhary also assaulted Raju Kumar, Saket Kumar and Abhinandan Garai.

4. So far as this petitioner is concerned, he directed the accused to take away Satyam Kumar outside to kill him. As the villagers assembled, they retreated. The petitioner was shifted to Sadar Hospital, Samastipur which followed the FIR.

5. Learned counsel for the petitioner submits that



there is case and counter case, both sides have suffered injuries, so far as this petitioner is concerned, only because of criminal antecedent, role of order giver has been given to him. No direct allegation of assault is against this petitioner.

6. Mr. Bharat Bhushan, learned APP opposes the prayer submitting that he alleged to have exhorted the accused persons to take away Satyam Kumar and he has criminal antecedent.

7. Considering the submissions of the parties as also that the main role has been attributed to Raman Chaudhary and Suman Chaudhary of opening fire as also assaulting his friend, the role of this petitioner is limited to the order giver, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Vidyapatnagar P.S. Case No. 34 of 2025 to the satisfaction of learned A.C.J.M.-II, Dalsingsarai, Samastipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

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

(v) 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.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

