

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67835 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- GAYA RAIL P.S. District- Gaya

Kismat Kumar @ Shiv Ketu Kumar S/o- Subodh Kumar Pandit R/v- Ore Ps-
Belaganj Dist- Gayajee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-09-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Gaya Rail P.S. Case no.28 of 2025 registered for the offence punishable under sections 109, 118 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, three accused persons including the petitioner herein came on two motorcycles. It is further stated that Sonu Kumar fired upon the informant, as a result of which the informant sustained injury.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Although he is named in the FIR, however, no overt act has been alleged against him. The allegation of firing is solely on coaccused



Sonu Kumar. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no overt act having been alleged against the petitioner and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gaya Rail P.S.Case no.28 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Railway Court, Gaya.

(Partha Sarthy, J)

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