

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71961 of 2025

Arising Out of PS. Case No.-49 Year-2022 Thana- BIBHUTIPUR District- Samastipur

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Alok Kumar S/O Rajiv Kumar Singh Resident of Village- Vrindawan, P.S.-
Naokothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rahul Singh, Adv.
For the informant	:	Mr. Atul Kumar Anjan, Adv.
		Mr. Akash Shankar, Adv.
For the Opposite Party/s :		Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Session Trial No. 449 of 2025, C.I.S. No. 109/2025 arising out of Bibhutipur P.S. Case No. 49 of 2022 dated 08.02.2022 registered for the offences punishable u/ss 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 07.02.2022, when the informant's son went for immersion of Maa Saraswati Idol at Narhan Fafout bridge and when he was returning and reached near Fafout bridge then three persons riding on a motorcycle



and the remaining persons sitting on a four-wheeler came there and started indiscriminately firing upon his son, due to which he sustained 2-3 bullet injuries. He has further stated that the petitioner and the co-accused persons fired on the informant's son after making conspiracy with each other. Thereafter, the injured was taken to the hospital but during the course of treatment, he died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no eye witness to the alleged occurrence. It is further submitted that there is general and omnibus allegation of firing against the accused persons. There is no specific allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 07.11.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Session Trial No. 449 of 2025, C.I.S. No. 109/2025 arising out of Bibhutipur P.S. Case No. 49 of 2022 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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