

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71233 of 2025

Arising Out of PS. Case No.-654 Year-2024 Thana- RAJIVNAGAR District- Patna

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Ratnesh Kumar @ Ratnesh Rai @ Ratnesh Yadav S/o Ganesh Yadav @
Ganeshi Yadav Resident of Saket Bhawan, Jai Prakash Nagar, Road No.2,
Shiv Mandir Gali, P.S.- Rajiv Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Adv.
Mr. Rahul Raj, Adv.
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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

ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court
with a prayer for anticipatory bail which was rejected vide order
dated 07.02.2025 passed by a Co-ordinate Bench of this Court
in Cr. Misc. No. 87726 of 2024.

3. The petitioner seeks bail in connection with S. Tr.
No. 1522 of 2025 arising out of Rajiv Nagar P.S. Case No. 654
of 2024 instituted for the offences under Sections 109, 352,
351(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27
of the Arms Act.

4. As per prosecution case, the co-accused Pankaj



Sharma ordered the petitioner (Ratnesh Kumar) to shoot the informant and the petitioner opened fire upon him. However, the informant somehow managed to save his life.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is further submitted that in the alleged occurrence, the informant has not sustained any fire-arm injury and, no offence is made out against the petitioner under Section 109 of the B.N.S. It is further submitted that two witnesses i.e. the informant (P.W.1) and his father (P.W.2) have been examined in the course of trial but, both of them have not supported the prosecution case and have been declared hostile by the learned court below. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has four criminal antecedents and, in all of them, he is on bail and is languishing in judicial custody since 04.03.2025 without any rhymes or reason. Learned counsel for the petitioner further submits that the charge-sheet has been submitted and the charge has also been framed against the petitioner.



6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 S. Tr. No. 1522 of 2025 arising out of Rajiv Nagar P.S. Case No. 654 of 2024.

(Rudra Prakash Mishra, J)

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