

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71312 of 2025

Arising Out of PS. Case No.-244 Year-2025 Thana- PARSABAZAR District- Patna

Rahul Kumar S/O Bhrigun Singh @ Bhrigun Prasad R/o Mokimpur, P.S.-
Parsa Bazar, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the F.I.R., on 11.06.2025 at about 10:00 O’Clock, the petitioner made a call on the mobile phone of the informant’s son, namely Sunny Kumar (deceased), asking him to come for the birthday party of his nephew. The deceased left his home saying that he would return after attending the party. At about 1:00 O’Clock in the night, the petitioner made a call to the informant’s household number and informed that Madhusudan had assaulted her son brutally. Upon receiving this information, the informant and other family members came out



of the house and saw that the petitioner was driving a motorcycle with the informant's son sitting in the middle and one Kaushal Kumar sitting at the back. The informant's son was taken to the hospital, where he was declared dead due to a bullet injury on his chest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner, along with other co-accused persons, was watching a dance programme when a fight took place between the deceased and the co-accused Madhusudan and that the deceased was shot dead due to a personal dispute with Madhusudan. It is submitted that the petitioner and the deceased were good friends and had no dispute between them. He further submits that the petitioner was not present at the time of the incident and came out of his house only after the occurrence. The petitioner claims clean antecedents and he is in custody since 18.06.2025.

5. Learned A.P.P. for the State opposed the bail petition and submitted that the post-mortem report of the deceased shows that he died owing to a gunshot injury. During investigation, a mobile phone and a camera were recovered in which the entire incident was recorded. One Md. Amir Alam



deposed that a party was going on and the accused persons were holding country-made pistols in their hands and in the course of the party, a fight took place among them during which gunshots were fired.

6. Considering the nature and gravity of the offence, I am not inclined to grant bail to the petitioner and the same is accordingly rejected.

7. However, since the petitioner is in custody since 18.06.2025, the Trial Court is directed to expedite the trial.

(Prabhat Kumar Singh, J)

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