

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75846 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- NADI P.S. District- Patna

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Gulshan Kumar S/o Chanarik Rai @ Chika Rai R/o Village- Jethuli, P.S.-
Nadi, Distt- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Jay Ram Prasad, learned counsel for the

petitioner and Mr. Chandra Sen Prasad Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Nadi P.S. Case No. 83 of 2025, F.I.R. dated
15.03.2025 for the offences punishable under Sections 126(2),
115(2), 109, 352, 351(2)(3), 3(5) of the Bhartiya Nyay Sanhita,
2023 and Section 27 of the Arms Act.

3. As per the First Information Report, on 15.03.2025,
when the informant along with his villager went outside his
house and reached near Radio Station, in the meantime, the
petitioner along with other accused persons reached there and
abused and assaulted him and the petitioner and other accused
persons opened fire.

4. Learned counsel for the petitioner submits that



petitioner is innocent and falsely been implicated in the present case. It appears from the FIR that due to some petty dispute the present false case has been instituted against the petitioner. From bare perusal of FIR, it appears that the petitioner and other co-accused persons have fired in the air and there is no witness to suggest that the petitioner was present at the place of occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that there is direct and specific allegation against the petitioner and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna City, Patna in connection with Nadi P.S. Case No. 83 of 2025, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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