

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79120 of 2025

Arising Out of PS. Case No.-827 Year-2025 Thana- GAYA MUFASIL District- Gaya

1. Balwant Kumar @ Balwant Singh Son of Sri Kamlesh Singh @ Amlesh Singh R/o Village - Rasalpur, P.S.- Mufassil, District - Gaya Ji.
2. Suman Kumar @ Suman Kumar Singh Son of Sri Kamlesh Singh @ Amlesh Singh R/o Village - Rasalpur, P.S.- Mufassil, District - Gaya Ji.
3. Rishi Singh @ Neeraj Kumar Singh Son of Late Umesh Singh R/o Village - Rasalpur, P.S.- Mufassil, District - Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Muffasil P.S. Case No. 827 of 2025, registered for the offences punishable under Sections 191(2), 190, 109, 329(3), 352 of the BNS and Section 27 of the Arms Act.

3. Allegedly, on the fateful day, the petitioners, along with other FIR named accused persons as well as 40 unknown persons, came at the house of the informant in search of his son and started abusing. It is specifically alleged that the petitioners were also carrying weapons and the accused persons started making indiscriminate firing; however when the local people



rushed to the place of occurrence, they fled away from the spot.

4.Learned Advocate for the petitioners taking this Court through the FIR contended that except the omnibus allegation that the petitioners were carrying arms in their hands and other accused persons made indiscriminate firing, there is nothing on record which suggests that any person has sustained injury. Only on account of previous enmity, the name of the petitioners have been implicated in this case. There is counter version of the present case being Muffasil P.S. Case No. 831 of 2025 with respect to an occurrence which took place on 16.08.2025 itself. It is further contended that some typographical error has taken place in the impugned order and it has been recorded that the petitioner No. 1 is carrying eight criminal antecedent, though he has one criminal antecedent as mentioned in paragraph-3 of the bail application. Moreover, petitioner No. 2 has no criminal antecedent, whereas petitioner No. 3 is carrying three criminal antecedent, out of which he has been acquitted in one case.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Having considered the nature of accusation levelled against the petitioners, coupled with the fact that none has sustained any



injury, besides the factum of case and counter case, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gayaji in connection with Muffasil P.S. Case No. 827 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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