

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5039 of 2025

Arising Out of PS. Case No.-292 Year-2024 Thana- HARNAUT District- Nalanda

Mukesh Kumar @ Mallu Singh @ Mukesh Yadav @ Mallu Yadav S/O
Narayan Yadav @ Narayan Kumar Resident of Village- Jorarpur, Police
Station- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 04-04-2025 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with
Harnaut Police Station Case No. 292 of 2024, dated
23.07.2024, registered for the offence punishable under
Sections 191(2)/191(3)/190/126/115(2)/351(3)/352/111/
308(3)/308(4) of the Bhartiya Nyaya Sanhita, 2023 and
Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report,
is that on 23.07.2024, when the informant and other
police officials were on an evening patrolling duty, they
got information that near Vishwakarma More at Harnaut
Bazar, some miscreants have resorted to firing, upon this



information, the police reached near the tempo stand and saw that the people over there have gathered and were closing their shops. The tempo drivers disclosed the names of the miscreants as the petitioner and others, stating that the named accused persons, along with 8-10 unknown persons, armed with country-made pistols and other weapon, arrived there and started demanding rangdari. When the tempo drivers protested, they resorted to firing and assaulted them also. The police recovered three empty cartridges of .315 bore from the place of occurrence.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence and he has been implicated in this case on the basis of disclosure of his name by the tempo drivers. The allegation of firing is general and omnibus in nature and altogether eight named accused persons, along with 8-10 unknown persons, have been named, with allegation that they resorted to firing, but only three empty cartridges were recovered by the police from the place of occurrence. He next submits that petitioner is in custody since 21.09.2024 and shall abide by the condition(s) imposed by this Court for grant of



bail.

5. Regards being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that petitioner is in custody since 21.09.2024, I am inclined to grant regular bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, at Biharsharif, in connection with Harnaut Police Station Case No. 292 of 2024, subject to the conditions that (1) one of the bailors shall be the father of the petitioner, (2) the petitioner shall not repeat the same offence in future, (3) the 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 his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below, and (4) 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.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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