

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82318 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- BIHARIGANJ District- Madhepura

Deva Kumar S/O Guddu Yadav R/O Village- Kusthan, P.S.- Bihariganj, Dist.-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Bihariganj P. S. Case No. 317 of 2024 in a case registered for the offences punishable under Sections 103(1), 351(3), 3(5), 61(2) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per prosecution case, informant alleges that while his son was riding motorcycle, two co-accused persons, namely, Md. Babar and Md. Hesnain fired indiscriminately upon him, resulting in his death. Informant alleged that prior to the occurrence, other accused persons, namely, Md. Daud, Bibi Nasima Khatoon and Md. Salim used to threaten to kill his son.

4. Learned counsel for the petitioner submits that



petitioner is not named in the F.I.R. and his name surfaced on the basis of confessional statement of co-accused Rupesh Kumar who has already been granted regular bail by co-ordinate Bench of this Court *vide* order dated 21.05.2025 passed in Cr. Misc. No. 32046 of 2025. From perusal for the F.I.R., it is evident that specific accusation of firing is against co-accused Md. Babar and Md. Hesnain. Petitioner is in custody since 05.08.2025.

5. However, learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation and period of custody, this bail application is allowed. The petitioner, above named, is directed to 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 Sub-Divisional Judicial Magistrate, Udakishunganj in connection with Bihariganj P. S. Case No. 317 of 2024.

(Prabhat Kumar Singh, J)

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