

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82510 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- KHUSRUPUR District- Patna

Rakesh Kumar Son of Nandan Singh @ Nand Singh Resident of Village-
Lodipur, Mansurpur, P.S.- Khushrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Khushrupur P.S. Case No. 43 of 2025 instituted for the offence
under Sections 191(2), 191(3), 190, 103(1) & 115(2) of the
Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case is based on the fardbeyan of
Uday Singh recorded on 27.01.2025 at NMCH, Patna. It is
alleged that the informant's family was attacked at their home
by FIR-named accused with deadly weapons, and his son Amol
Kumar was shot by Gautam Kumar. Amol sustained a gunshot
injury and died on the way to NMCH during treatment.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 24-07-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation against the petitioner, rather allegation attributed to the petitioner is general and omnibus in nature. It is evident from the FIR itself, that co-accused, namely, Gautam Kumar has fired. The only allegation against the petitioner is that he was member of the unlawful assembly. Learned counsel for the petitioner submits that petitioner has no role in the alleged offence and he is roped in this case due to earlier dispute. Other co-accused has been granted bail by this Court vide order dated 31-07-2025, passed in Cr. Misc. No. 49359 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being no specific allegation against the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khushrupur P.S. Case No. 43 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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