

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4319 of 2026

Arising Out of PS. Case No.-140 Year-2021 Thana- JAGDISHPUR District- Bhojpur

Khushu Sah @ Gopal Kumar Son of Rajendra Sah Resident of Village -
Siyarua, Police Station - Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Ashok Kumar Singh, learned counsel for
the petitioner and Mr. Amitesh Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Jagdishpur P.S. Case No. 140 of 2021, F.I.R.
dated 07.04.2021 for the offences punishable under Sections
302/34 of the IPC and Section 27 of the Arms Act.

3. According to prosecution case, while the informant
was sitting at his door all the accused person including the
petitioner, came at the door of deceased Narad Mahto and co-
accused Umesh Paswan fired upon the deceased. Allegation
against the petitioner of firing which did not hit any person.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that it appears from the FIR that the specific allegation of firing upon deceased is against the co-accused Umesh Paswan and Sannu Sah and there is no specific allegation of firing against this petitioner.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and that petitioner has clean antecedent as well as there is no specific allegation of firing against the petitioner, let the petitioner, above named, in the event of his 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 C.J.M., Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 140 of 2021, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

khushbu/-

U		T	
---	--	---	--

