

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4432 of 2026

Arising Out of PS. Case No.-187 Year-2024 Thana- RAJEPUR District- East Champaran

Arun Kumar @ Kundan Ray S/o Janak Bhagat @ Janak Prasad R/o Vill.-
Paigambarpur, P.S.- Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

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

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

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rajepur P.S. Case No. 187 of 2024 instituted for the offences
under Sections 109, 351(2), 3(5) of the Bhartiya Nyaya Sanhita,
2023 and Section 27 of the Arms Act.

3. As per prosecution case, the accused persons
including the petitioner surrounded the Informant and fired
twice with pistol on him causing gunshot injuries to his leg and
head.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner has not committed any offence as alleged in the



F.I.R. He further submits that there is delay of twelve days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of firing is against the co-accused Sanjay Prasad. There is no eye-witness to the alleged occurrence. Learned counsel for the petitioner further submits that other co-accused Prem Kumar @ Prem Chandra Prasad has been granted bail by a Co-ordinate Bench of this Court vide order dated 23.06.2025 passed in Cr. Misc. No. 37982 of 2025. The petitioner has seven criminal antecedents as has been stated in Para-3 and is languishing in judicial custody since 26.09.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also the period of custody of the petitioner, let the petitioner,



abovenamed, be released on bail, *after framing of charge, if not already framed*, 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 Rajepur P.S. Case No. 187 of 2024 (G.R. No. 5443 of 2024), 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)

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