

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7969 of 2026

Arising Out of PS. Case No.-795 Year-2024 Thana- DIGHA District- Patna

Raushan Kumar @ David Son of Sri Niranjan Ray R/v- Panapur Diara, P.S.- Akilpur, Distt.- Patna at present resident of village - Ramjichak Bataganj, Gandhi Gali, P.S.- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Vijay Kumar Sinha, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Digha P.S. Case No. 795 of 2024 instituted for the offence under Sections 109 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act. Earlier vide order dated 28.07.2025, passed in Cr. Misc. No. 20661 of 2025, anticipatory bail of the petitioner was rejected by a co-ordinate Bench of this Court.

3. The prosecution case, in brief, is that on 31.10.2024 the accused persons assaulted the informant's younger brother over a dispute relating to a motorcycle key and later extended threats. On 01.11.2024, petitioner allegedly fired upon the informant with a pistol during the assault, causing



gunshot injury.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.09.2025. Petitioner bears two criminal antecedents, 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. Learned counsel for the petitioner submits that from perusal of the FIR, it would reveal that petitioner alleged fired upon the informant, due to which he sustained gun shot injury. It is next submitted that nothing has been recovered from the possession of the petitioner. Charge sheet has already been submitted in this case.

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, there being direct allegation against the petitioner of firing upon the informant due to which he sustained gun shot injury, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as



expeditiously as possible without any undue delay and unnecessary adjournments.

9. However, petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of three months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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