

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12748 of 2026

Arising Out of PS. Case No.-75 Year-2025 Thana- LAUHIYANAGAR District- Begusarai

Shubham Kumar S/O Shankar Poddar R/O Village- Ramdiri, Ward no. 4,
Nakti tola, PS- Maithani, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-04-2026 Heard Mr. Mukesh Kumar, learned counsel for the

petitioner as well as Mr. Uday Chand Prasad, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.07.2025 in connection with Lohianagar P.S. Case No. 75 of
2025, F.I.R. dated 14.07.2025 for the offences punishable under
Sections 61(2), 103(1) of the Bharatiya Nyay Sanhita, 2023 and
Section 27 of Arms Act.

3. According to prosecution case, it is alleged that on
14.07.2025 at about 10.50 AM when the informant was
returning her home, she saw four FIR named accused persons
riding on two bikes, armed with 2-2 pistols, started firing at his
husband and his friend, due to which, both got injured and later



taken to hospital for treatment where informant's husband died during treatment.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Initially the petitioner was not named in the FIR and his name transpired on the basis of confessional statement of co-accused person and thereafter confessional statement of the petitioner was also taken. From bare perusal of the FIR it appears that informant has herself stated that four person have fired upon her husband but she did not stated anything about the petitioner and similarly situated co-accused person, namely, Alok Kumar and Rahul Kumar, against whom it is alleged that they have fired upon the victim have been granted the privilege of bail by the co-ordinate Bench of this Court vide order dated 23.02.2026 in Cr. Misc. No. 90261 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.07.2025.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and initially petitioner was not



named in the FIR and similarly situated co-accused person against whom it is alleged that they have fired upon the victim have been granted the privilege of bail by the co-ordinate Bench of this Court, let the petitioner, above named, 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 Chief Judicial Magistrate, Begusarai in connection with Lohianagar P.S. Case No. 75 of 2025, subject to the 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)

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