

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19557 of 2026**

Arising Out of PS. Case No.-489 Year-2025 Thana- NAUBATPUR District- Patna

Deepak Kumar, S/o- Late Pradeep Saw @ Pradeep Kumar, R/v- Shivalapar  
Ps- Shahapur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Archana Aanand, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      13-05-2026                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 489 of 2025 dated 19.08.2025 instituted for the offence punishable under Sections 132, 109(1), 262 of the *Bhartiya Nyaya Sanhita*, 2023 and Section 25(1-b)(a), 26, 27 of the Arms Act.

3. As per the F.I.R., the petitioner who had been apprehended in another case bearing Phulwari Sharif (Janipur) P.S. Case No. 1310 of 2025, allegedly led the police team to a roadside bush for recovery of weapon and mobile phone. During the search, at about 23.30 hours, it is alleged that the petitioner opened fire upon the police party, whereafter the police retaliated and the petitioner sustained firearm injury on his leg and thereafter he was apprehended.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner further submits that the petitioner has not made firing upon the informant's side, rather, the petitioner himself received bullet injury caused by the police persons. There is no recovery of pistol from the possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 10.11.2025 having three criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VI, Danapur, Patna in connection with Naubatpur P.S. Case No. 489 of 2025, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till conclusion of trial.

**(Khatim Reza, J)**

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