

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24036 of 2026

Arising Out of PS. Case No.-49 Year-2025 Thana- Babarganj District- Bhagalpur

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Gazni @ Rahul @ Rahul kumar Son of Late Chandrika Sharma@ Chandrika
Sah R/O Hasanganj Road, Mirjanhat, Kutubganj, P.S.- Babarganj, Dist.-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 16-04-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Babarganj P.S. Case no. 49 of 2025 registered under sections 126(2), 127(2), 115(2), 109, 190, 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act, 1959.

3. As per the prosecution case, the informant states that six accused persons on two motorcycles of which the informant names four accused including the petitioner herein as also one Rakesh Choudhary are said to have assaulted the informant on the point of a gun. On the informant making an attempt to escape and raising *hulla*, the accused snatched the



mobile phone of the informant and fired two rounds of bullet which however narrowly missed the informant. Two more rounds were fired in the air and the accused persons managed to flee away.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such occurrence as alleged in the FIR has taken place. The allegations are general and omnibus in nature. Co-accused Rakesh Choudhary has been enlarged on bail vide order dated 13.1.2026 passed in Cr. Misc. no. 80700 of 2025. The petitioner is in custody since 12.8.2025 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the allegations being general and omnibus in nature, grant of bail to co-accused Rakesh Choudhary vide order dated 13.1.2026 and the petitioner having remained in custody for over eight months since 12.8.2025, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 138 of 2026 arising out of Babarganj P.S. Case no. 49 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned District &
Additional Sessions Judge-XV, Bhagalpur.

(Partha Sarthy, J)

saauravkrsinha/-

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