

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31892 of 2026

Arising Out of PS. Case No.-326 Year-2024 Thana- CHANDAUTI District- Gaya

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Jitendra Kumar S/o Rajbali @ Rambali R/o Village - Damuha, P.S- Kako,
District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Chandaoti P.S. Case No. 326 of 2024 registered for the alleged offences under Sections 103, 109 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, while the informant and his wife had been travelling on his motorcycle, two miscreants on another motorcycle came and one of them fired a shot which hit the informant and his wife and the wife of the informant died. The informant named this petitioner who fired the fatal shot.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The deceased was having good relationship with the petitioner and the informant doubted their relationship and for this reason, the informant was on inimical term with the petitioner and has made him an accused in the present case. Learned counsel further submits that it appears the informant got his wife murdered under a conspiracy and named this petitioner. Learned counsel further submits that the prosecution case is not believable against the petitioner that the person driving the vehicle was wearing a helmet whereas the petitioner who was already known to the informant had not covered his face. Learned counsel further submits that the petitioner is in custody since 10.09.2025 and charge-sheet has been submitted. The petitioner is having clean antecedent. Learned counsel lastly submits that the petitioner has joined the trial and would not delay it in any manner, if enlarged on bail.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that during investigation it has come that the petitioner intended to kill the informant but the shot proved fatal for the wife of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and further



considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya/court concerned in connection with Chandauti P.S. Case No. 326 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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