

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31141 of 2026

Arising Out of PS. Case No.-903 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Durgesh Kumar @ Fugesh Kumar @ Fugaira Kumar S/o Sadhu Yadav @
Uday Prasad R/o Village - Vanshraj Bigha, PS - Makhdumpur(Tehta), Distt. -
Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Makhdumpur P.S. Case No. 903 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 118(2), 109 and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per FIR, informant states that 12 named accused persons including the petitioner herein started to abuse the informant. On protest he was assaulted which led to the breaking of his teeth. He fell unconscious. It is further stated that on regaining consciousness and on the informant going along with his family members to the house of Chintu Kumar, Jeetu Kumar opened fire as a result of which the



informant sustained gunshot injury on his hand.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from the contents of the FIR itself, it would transpire that though the occurrence is in two parts, in the first part the allegation against the petitioner is general and omnibus in nature and in the second part at the house of Chintu Kumar, the allegation of opening fire is on co-accused Jeetu Kumar alone. The petitioner has been falsely implicated in the case and he undertakes to cooperate in the investigation/trial. While concluding arguments, it is submitted that petitioner found involved in one more criminal case where he is on bail and moreover similarly situated co-accused Deepu Kumar has already granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 27565 of 2026 dated 29.04.2026.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as allegation *qua* physical assault is appearing very much general and omnibus against petitioner, coupled with the fact that similarly situated co-accused



namely Deepu Kumar has already granted bail through Cr. Misc. No. 27565 of 2026 dated 29.04.2026, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Jehanabad/concerned Court, where the case is pending in connection with Makhdumpur P.S. Case No. 903 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

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