

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34123 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- BARHIYA District- Lakhisarai

Gulshan Kumar S/o Barelal Singh @ Ram Kumar R/o vill - Khuthadih, P.S.-
Barhaiya, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Barhaiya P.S. Case No. 53 of 2026, for allegedly having committed offence under Sections 109(1), 352, 351(2) and 3(5) of the BNS 2023. and Sections 25(a) and 27 Arms Act.

3. As per the prosecution story, which has been lodged on the basis of written report submitted by the informant to the effect that on 06.03.26 at about 4:10 P.M, an information was received through a whatsapp video of 04.03.2026 during Holi that some boys were seen riding a motorcycle and firing at a public place in a viral video at Khuthadi. The viral video was seen by the local Chowkidar, who identified Shaurav kumar as



the person, who was firing in air and the petitioner as the person, who was riding the motorcycle.

4. The learned counsel for the petitioner submits that on the basis of the viral video, the petitioner has been made an accused in the present case, however the petitioner was not involved in the case and the only allegation against the petitioner is that he was seen riding the motorcycle in the viral video and no allegation of firing is against the petitioner. The petitioner is a student and has passed intermediate examination and is preparing for competitive examination and has also taken admission in Bachelor of Library Sciences Course from Fathima Degree College. The learned counsel for the petitioner further submits that the petitioner has got a clean antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Having heard the rival submissions and after going through the records, it appears that the name of the petitioner has transpired on the basis of the viral video and identification done by the local Chowkidar. The only allegation against the petitioner is that he was seen riding the motorcycle in the viral video and allegation of firing in air is against co-accused Shaurav kumar. The petitioner has got a clean antecedent.



Considering the same, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, 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 A.C.J.M. 1st Lakhisarai in connection with Barhaiya P.S. Case No. 53 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps 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.

(Ritesh Kumar, J)

Ajay/Kunal/-

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