

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46806 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- PHULWARIA District- Begusarai

Piyush Kumar @ Piyush Kumara Son of Upendra Ram R/O Village- Baro
Bhit, P.S.- Phulwaria, District- Begusarai Petitioner/s
Versus

The State of Bihar Patna Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Prabhat, Adv.

For the Opposite Party/s : Mr.J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-02-2026 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Phulwaria P.S. Case No. 15 of 2025, registered for the
offences punishable under Sections 103(1), 3(5) of the BNS and
Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on the basis of
a written application dated 02.02.2025 submitted by the
informant, Niranjan Yadav, it is alleged that on 01.02.2025,
while returning from work, the informant allegedly saw his son
(since deceased) Rahul Kumar talking with his cousin Ayush
Kumar and two friends, namely Piyush Kumar (the present
petitioner) and another Rahul Kumar. It is further alleged that
after some time, Ayush Kumar came running to the informant
and stated that the petitioner was carrying a pistol at his waist
and that a scuffle had taken place between the deceased and the



said persons. The informant further claims to have heard the sound of a gunshot and upon reaching the place of occurrence, allegedly saw the petitioner Piyush Kumar and co-accused Rahul Kumar holding a pistol. Thereafter, the informant allegedly found his son lying dead at the spot.

4. The learned counsel for the petitioner has submitted that none had seen the occurrence. Co-accused, Rahul Kumar, in his confessional statement, has stated that while playing, the shot was fired from the pistol accidentally and hit the deceased. So far as the present petitioner is concerned, there is only allegation in the FIR that he was seen fleeing away from the place of occurrence. Co-accused, Rahul Kumar, who has confessed his guilt, has been granted bail after taking the plea of juvenility.

5. On the other hand, the learned APP for the State though opposed the prayer for bail, but fairly conceded that none has seen the occurrence.

6. There is no allegation against the petitioner of opening fire at the deceased and co-accused, Rahul Kumar has been granted bail. The petitioner has been in custody since 03.02.2025.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the



petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned District & Addl. Sessions Judge-I-cum-Special Judge NDPS Act, and P.O. of Children Court, Begusarai in connection with Phulwaria P.S. Case No. 15 of 2025, subject to the following conditions that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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