

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64819 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- RAGHOPUR District- Supaul

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Kundan Kumar @ Kundan Kumar Yadav S/o Dharendra Kumar Yadav @
Gabbbar Singh R/o Village - Hariraha, Ward no. 3, P.S - Karjain, District -
Supaul, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner apprehends his arrest in connection
with Raghapur P.S. Case No. 138 of 2025 instituted for the
offences under Sections 309(5), 109, 3(5) of the Bharatiya
Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on 12.04.2025 at
about 10:20 P.M., the informant and his brother were chased and
forcibly stopped by three accused, during which one accused
fired shots causing gunshot injuries to the informant's brother.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of confessional statement of the apprehended co-accused. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that as per the material available in the case diary, it was this petitioner who fired upon informant's brother and therefore, he does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the material against the petitioner in the case diary, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own



merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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