

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69062 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- RAMKRISHNANAGAR District- Patna

Suraj Rai @ Suraj Gope @ Surja @ Suraj Ray S/O Late Shiv Rai @ Late
Shivnath Rai resident of Sampatchak, P.S- Gopalpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 17-01-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramkrishna Nagar P.S. Case no.28 of 2025 registered under section 309(6) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that while he was going to have some snacks near the Bus Stand, a 15-16 year old accused tried to snatch his articles and thereafter fired two rounds on him causing firearm injury on his back and thigh.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. In course of investigation, the accused who fired upon the informant was identified as co-accused Gaurav Kumar. The petitioner has falsely been implicated in the confessional statement of Gaurav Kumar who



made statement to the effect that he had purchased the illegal arms and cartridge from the petitioner who was in custody on the date of occurrence. There is no other materials except the statement of the co-accused made before police. The petitioner is in custody since 8.5.2025 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the allegation of firing being solely on Gaurav Kumar and not the petitioner herein who was in custody on the date of occurrence together with the petitioner having remained in custody for 8 months since 8.5.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Ramkrishna Nagar P.S. Case no.28 of 2025 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna.

(Partha Sarthy, J)

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