

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73548 of 2025

Arising Out of PS. Case No.-630 Year-2024 Thana- SAKRA District- Muzaffarpur

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Raja Kumar S/O Bhola Singh Resident of Village - Sarmastpur, Police Station-
Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashank Shekhar
For the Opposite Party/s : Mr. Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-02-2026 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Sakra P.S. Case No. 630 of 2024, registered for the offences punishable under Sections 126(2), 115, 118(1), 117, 109 and 3(5) of the BNS.

3. Based upon the written report, the prosecution alleges that on 30.11.2024, all the FIR named accused persons, including the petitioner, along with some unknown persons came at the house of the informant and brutally assaulted the Bindu Devi and others. It is further alleged that co-accused Monu Kumar @ Chhotu and this petitioner also shot fire due to



which Bindu Devi sustained a bullet injury on her thigh. This occurrence was follow up to an earlier incidence on 15th November, 2024, where the petitioner along with others were allegedly set ablaze the house of Bisheshwar Singh, in order to evict them from their residence. This time also they set ablaze the house of the informant by sprinkling petrol.

4. Learned Advocate for the petitioner submitted that allegedly the petitioner is said to have fired along with one Manmohan Thakur over the thigh of Bindu Devi but the injury report of the injured reflects no such corroborative injury. Referring to the injury report, it is submitted that neither there is charring nor tattooing. The doctor does not suggest the injury caused by firearm; all the more the injury is said to be simple in nature. The false implication of the petitioner cannot be ruled out in view of the ongoing animosity; earlier the father of the informant as well as the wife of the informant have also instituted two cases against the petitioner; however the petitioner is on bail in both the cases. Besides the aforesaid cases, the petitioner is also accused in connection with the offences under Excise Act; however he is on bail in the said case. It is lastly contended that there is counter version of the present case being Sakra P.S. Case No. 629 of 2024 instituted by



Nilam Devi, the mother of the present petitioner, against the informant and others, which is on earlier point of time. The delay in lodging of the FIR also makes the case fatal to the prosecution, is the contention of the learned Advocate for the petitioner.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the besides three criminal antecedent, there is specific accusation against the petitioner of causing firearm injury and there is corresponding injury, as is evidence from the injury report.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the delay in lodging of the FIR, coupled with the injury report, which does not prima facie suggest firearm injury as well as the factum of case and counter case and the previous enmity between the parties, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-15, Muzaffarpur in connection with



Sakra P.S. Case No. 630 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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