

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73303 of 2025

Arising Out of PS. Case No.-253 Year-2025 Thana- BEUR District- Patna

Mukesh Kumar @ Mukesh Roy S/o Sri Ashok Kumar Roy Resident of Dujara Chak, Buddha Colony, P.S.- Buddha Colony, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 85950 of 2025

Arising Out of PS. Case No.-253 Year-2025 Thana- BEUR District- Patna

Dev Kumar Singh @ Dev Kumar S/o Late Suresh Prasad Resident of Village/ Mohalla- Mahavir Colony, Road No. 2C, Ward No. 03, P.S.- Beur, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :
(In CRIMINAL MISCELLANEOUS No. 73303 of 2025)
For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.
(In CRIMINAL MISCELLANEOUS No. 85950 of 2025)
For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-03-2026 Heard learned counsel for the petitioners Mr. Md. Javed Jafar Khan and Mr. Bishwajeet Singh and learned Additional Public Prosecutors, Mr. Satyendra Prasad and Mr. Ram Sumiran Rai for the State.

2. Petitioners seek bail who are in custody since 28.05.2025 in connection with Beur P.S. Case No. 253 of 2025,



for the offences punishable under Sections 126(2), 109, 3(5) of BNS and Section 27 of the Arms Act.

3. The case of the prosecution, in brief, is that on 19.05.2025 at about 06.15 A.M., his elder brother namely Sanjay Kumar reached at 06.30 to Swayambar Utsav Hall, Tej Pratap Nagar on his motorcycle was going to south of Tej Pptratap Nagar Mohalla, and when he reached near Bhawani Community Hall near Byepass, two motorcycle riders surrounded him and opened two round of fire and fled away, due to which he received injury on arm and fallen down. It is next alleged that they again fired 2-3 round which hit him and injured. On hulla, he and his Arvind Jee rushed and bring his brother to Utwav Hall and thereafter he was taken to hospital on motorcycle for treatment, where his treatment was going on.

4. Learned counsel for the petitioners submits that petitioners are not named in the FIR and the allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. It is next submitted that the name of the petitioners have been transpired during the course of the investigation and, in fact, it has come during the investigation that Dev Kumar Singh @ Dev Kumar (Cr. Misc. No. 85950 of 2025) who is alleged to be an



accomplice in the present crime in question and when Dev Kumar was arrested, he had disclosed the name of the co-accused namely, Mukesh Kumar @ Mukesh Roy (Cr. Misc. No. 73303 of 2025). Learned counsel for the petitioner further submits that except the aforesaid no other cogent material has come during investigation to suggest the involvement of the petitioners in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioners and the petitioners are in custody since 28.05.2025.

5. Learned Additional Public Prosecutor, on the other hand, has vehemently opposed the prayer for bail of the petitioners and submits that petitioners namely, Mukesh Kumar @ Mukesh Roy has antecedent of only one case other than the present case and Dev Kumar Singh @ Dev Kumar has antecedent of two cases other than the present case and petitioners are on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Patna in connection with Beur P.S. Case No. 253 of 2025,, subject to the following conditions:-



i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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