IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76883 of 2026

CNR No. BRHC011068762026

Arising Out of PS. Case No.-718 Year-2025 Thana- DHANARUA District- Patna

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Sushil Kumar @ Bittu Kumar S/o- Late Ram Pravesh Prasad @ Sinha Ji Resident of village- Barbigha, P.S.- Dhanaura, Dist- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amrit Lal, Advocate
For the State : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 30-10-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with Dhanarua P.S. Case No. 718 of 2025 registered for the offences punishable under Sections 191(3), 190, 126(2), 115(2), 109(1) and 352 of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. Learned counsel appearing on behalf of the petitioner submits that this is the second attempt on the part of the petitioner to seek the relief of bail and he has renewed his prayer in the light of the liberty granted to him by this Court vide order dated 02.09.2026 passed in Cr. Misc. No. 62011 of 2026, preferred by him. Learned counsel further submits that there are two fresh grounds for renewal of the prayer for bail.

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Firstly, the petitioner has remained in custody for more than four months and secondly, the trial has commenced, inasmuch as charges have been framed against the petitioner on 08.09.2026. It is further submitted that while rejecting the petitioner's earlier prayer for bail, this Court had granted him liberty to renew his prayer upon framing of charges. Learned counsel also submits that the petitioner has no criminal antecedent and the alleged incident of firing was not premeditated. In this regard, it is submitted that as is evident from the FIR itself, the incident occurred in the heat of the moment. It is further contended that the injured, namely, Meena Devi, sustained an injury to her left ankle, which is not a vital part of the body. Moreover, it is not the prosecution's case that the petitioner had fired at Meena Devi with the intention of causing injury to her. Thus, according to learned counsel, the alleged firing was not intentional but occurred in the spur of the moment.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Having considered the submissions advanced on behalf of the petitioner and taking into account the period of custody already undergone by him as well as the fact that charges have been framed against him, this Court is inclined to

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grant the privilege of bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Dhanarua P.S. Case No. 718 of 2025.

(Shailendra Singh, J)

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