

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76419 of 2025

Arising Out of PS. Case No.-232 Year-2025 Thana- BUXAR MUFFSIL District- Buxar

Golu @ Golu Upadhyay @ Dev Prakash @ Dev Prakash Upadhaya S/o
Rambola Upadhyay @ Yogeshwar Upadyay R/o Village - Shukarwaliya, P.S -
Itarhi, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Buxar (M) P.S. Case no. 232 of 2025 registered under sections 103, 61(2) and 3(5) of the Bhartiya Nyay Sanhita, 2023 and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, three persons are said to have resorted to indiscriminate firing upon the brother of the informant leading to serious injuries as a result of which he died on way to the hospital. The informant states that eight named accused persons in the FIR who are on inimical terms with his brother, have a hand in the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been falsely



implicated in the case in course of investigation. From the material that has transpired in course of investigation, it would transpire that the main allegation of having resorted to firing is on three other accused namely Abhishek Kumar Rai, Dinesh and Nikhil. No overt act has been alleged against the petitioner and at best the allegations is one of conspiracy only on the basis that the petitioner had talked to some of the accused. The petitioner is in custody since 20.6.2025 and chargesheet has been submitted in the case.

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

6. Having heard on the learned counsel for the parties and taking into consideration the allegation in the FIR, the material that has transpired in course of investigation, the petitioner having remained in custody for 7 months since 20.6.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Buxar (M) P.S. Case no. 232 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 Chief Judicial Magistrate, Buxar.

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(Partha Sarthy, J)

