

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83514 of 2025

Arising Out of PS. Case No.-420 Year-2024 Thana- DIGHA District- Patna

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Santosh Kumar @ Santosh Bakariya @ Bakariya S/o Sabha Ray Resident of -
Kagji, Mohalla - Mitan Chak, P.S - Danapur, District - Patna At present R/o -
Danapur Cantt., Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. D.K. Singh, Advocate
		Ms. Anjali Kumari, Advocate
		Ms. Rekha Kumari, Advocate
For the Opposite Party/s	:	Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 61, 103, 109 of the Bharatiya Nyaya Sanhita and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

3. The case of the prosecution is that Birendra alias Billa and Manu Rai made fire on the vehicle in which the brother-in-law of the informant and the driver Vikash Kumar were traveling. It is further alleged that the fire was made indiscriminately and certain accused persons were firing from a distant range. Due to the above firing, the driver succumbed to



the injuries whereas the brother-in-law of the informant namely, Raju Rai was admitted in ICU.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of the FIR, it is clear that the name of this petitioner is not there in FIR. During investigation, the injured has given his statement and he has not named this petitioner but in his second statement, he has named this petitioner as one of the persons standing at the place of occurrence. There is no allegation against this petitioner that he has made fire. It has also been submitted that similarly situated other co-accused persons have already been granted bail by this Court and from learned co-ordinate Benches of this Court vide Annexure P/2 series to this petition. Moreover, the petitioner is languishing in judicial custody since 05.10.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of twelve cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Digha P.S. Case No. 420 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., IX, Patna with following conditions:-

(i) The petitioner shall cooperate in trial and shall remain physically present in the trial court on each and every fixed date.

(ii) As most of the cases of the petitioner are from Danapur Police Station, so, he is also directed to mark his weekly attendance at Danapur P.S.

(Ashok Kumar Pandey, J)

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