

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39 of 2026

Arising Out of PS. Case No.-149 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

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Gaurav Kumar S/o Bhupendra Yadav Resident of Village- Phulmalik, P.S.-
Sahebpur Kamal, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 140(1) and 3(5) of the
B.N.S., 2023 and Section 27 of the Arms Act and later on,
Sections 103(1) and 238 of the B.N.S. were added.

3. As per prosecution case, it is alleged that this
petitioner, along with other F.I.R. named accused persons,
assaulted informant and the deceased (Rakesh Kumar) and also
on the instruction of co-accused Sita Devi, this petitioner, along
with other co-accused persons, opened fire and assaulted son of
informant with butt of pistol.

4. Learned counsel for the petitioner submits that



petitioner is quite innocent and has committed no offence. As per F.I.R., this petitioner, along with other five co-accused persons, is alleged to have fired and assaulted son of informant with butt of pistol, but in the *post mortem* report, only one injury has been found on the person of deceased, caused by hard & blunt substance. Thus, F.I.R. stands contradicted by the *post mortem* report. Similarly situated co-accused, namely Raushan Kumar, Prashuram Kumar and Tikkar Yadav have already been granted bail by this Court, vide order dated 04.12.2025 passed in Cr. Misc. No. 84548 of 2025, order dated 27.01.2026 passed in Cr. Misc. No. 86193 of 2025 and order dated 30.01.2026 passed in Cr. Misc. No. 87994 of 2025. Petitioner is in custody since 25.05.2025. Charge-sheet has already been submitted.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials that have surfaced during course of investigation, claim based on parity and period of custody, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-II, Begusarai in connection with Sahebpur Kamal P.S. Case No. 149 of 2025.

(Prabhat Kumar Singh, J)

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