

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91041 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- BELDOUR District- Khagaria

Rajan Kumar Gupta @ Rajan Kumar S/O Bindeshwari Gupta @ Bindeshwari
Sah Resident of Village - Teliyari, ward No 07, Police Station- Alamnagar,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Beldaur P.S. Case No. 210 of 2025 registered for the offences punishable under Sections 103(1), 61(2) of the B.N.S and under Section 27, 25(1-B)A, 26 and 35 of the Arms Act.

3. As per the prosecution case, the son of the informant is said to have been shot dead by unknown persons and the dead body was found in the forest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It has been submitted that the petitioner is not



named in the F.I.R and during course of investigation his name has transpired in the confessional statement of co-accused, namely, Saheb Singh. It has further been submitted that even if the confessional statement are taken into account, it is specifically alleged that on the instruction of Saheb Singh, it was Raushan Kumar, who had shot the son of the informant, namely, Raju Kumar @ Rajesh Kumar. It has next been submitted that even if all the allegations are taken on the face value there is no specific allegation of overt act against the petitioner. It has also been submitted that one of the similarly situated co-accused, namely, Illahllah @ Nitish Kumar has been granted anticipatory bail vide order dated 15.01.2026 passed in Cr. Misc. No. 77261 of 2025. It has lastly been submitted that the petitioner has two criminal cases against his name and he is in custody since 21.10.2025 in the present case.

5. Learned APP for the State has vehemently opposed the prayer for bail and has submitted that the name of the petitioner has surfaced in the confessional statement of the co-accused, who have admitted to have killed the son of the informant.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner, above named, 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 the learned court below where the case is pending/successor court in connection with Beldaur P.S. Case No. 210 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.



7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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