

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6235 of 2025**

Arising Out of PS. Case No.-170 Year-2024 Thana- BANJARIA District- East Champaran

Ajay Sah Son of Rajendra Sah Resident of Vill- Chaulahatal, Malahi Tola,  
Ward No. 13, P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

5      24-06-2025                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Sections 103(1) and 3(5) of BNS and  
Section 27 of the Arms Act.

3. As per the FIR, the informant has alleged that on  
22.07.2024, the brother of the informant went to the grocery  
shop and subsequent thereto, there was a hot argument between  
the brother of the informant and the shopkeeper and thereafter  
all the named accused persons including the petitioner had  
assembled variously armed with Lathis, Danda etc. Thereafter it  
is alleged that the accused Ajay Sah (petitioner) fired at the head  
of the deceased leading to his death.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case. Learned counsel has next submitted that initially there is a general and omnibus allegation against all and subsequent thereto, as an afterthought, the name of the petitioner has been inserted in the FIR alleging to have fired upon the deceased. It has further been submitted that from perusal of the postmortem report, the allegation of firing from a country-made pistol is not corroborated as the bullet found inside the body of the deceased is of a different weapon. Learned counsel has also submitted that there is an admitted dispute between the parties and hence the petitioner and others have falsely been implicated in this case. Lastly, it has been submitted that the petitioner has an antecedent of one criminal case and has been in custody since 03.08.2024.

5. Learned counsel for the informant and learned APP for the State vehemently opposed the prayer for bail of the petitioner. It has been submitted by the learned counsel for the informant that there is a specific allegation upon the petitioner to have fired upon the head of the deceased causing his death. It has also been submitted that even during the course of the investigation, other witnesses have also supported the factum of the prosecution case.



6. Considering the aforesaid facts and circumstances of the case and looking into the nature of the specific allegation against the petitioner, I am not inclined to grant bail to the petitioner.

7. The application is rejected.

**(Sourendra Pandey, J)**

Prakash/-

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