

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5337 of 2025**

Arising Out of PS. Case No.-194 Year-2023 Thana- BARGAINIA District- Sitamarhi

Ranjit Kumar @ Bhutan Son of Gajendra Sah Resident of village -Ward No. 02, Jamuna Tole, Bairaganiya, PS- Bhairaganiya, District- Sitamarahi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Ayush Kumar, Advocate    |
| For the Opposite Party/s | : | Mr. Upendra Kumar, APP       |
| For the Informant        | : | Mr. Ashutosh Kumar, Advocate |
|                          | : | Mr. Pankaj Kumar, Advocate   |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      19-06-2025                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 307 of the Indian Penal Code and Section 27 of the Arms Act. Late on Section 302/34 of the Indian Penal Code was also added.

3. The prosecution story as disclosed in the first information report is that while the informant had proceeded to participate in the farewell ceremony of the B.D.O., Mejorganj in a vehicle driven by one of the co-accused, he returned in injured condition. He disclosed that cause of injury due to bursting of crackers. However, thereafter his condition deteriorated and he was admitted in the hospital and during operation, a pellet was found in his abdomen and the first information report was then



filed on 02.08.2023 by the wife of the victim/deceased.

4. Learned counsel for the petitioner submits that the husband of the informant died on 17.09.2023 and during the lapse of this period of time, no statement of the deceased was ever taken during the course of investigation. It has also been submitted that it is strange that the deceased had returned back home with the injuries but he never disclosed the reason of such injuries and rather stated he had got injured by means of bursting of crackers. Learned counsel for the petitioner thus submits that the first information report which has been registered after a delay of about 16 days and in the said FIR, the name of the petitioner does not feature. The materials collected during the course of investigation show that the informant had initially raised suspicion only against the driver Chandragupta and three other persons and no suspicion even was raised against the present petitioner. However, subsequently it transpired that this petitioner was also sitting in the vehicle in which the deceased was sitting and received the injuries. Further, it has also been pointed that two of the co-accused persons Raju Singh and Chandragupta who were present in the car along with the deceased and petitioner have also been granted the privilege of anticipatory bail vide orders dated



07.03.2025 and 14.11.2024 passed in Cr. Misc. No. 83519 of 2024 and Cr. Misc. no. 54414 of 2024 respectively. The petitioner has no criminal antecedent.

5. Per contra, learned counsel for the informant opposes the grant of anticipatory bail to the petitioner referring to para no. 57, 155 and 198 of the case diary to show that the petitioner had a role in causing the injuries to the petitioner but a perusal of these paragraphs would go to show that co-accused Raju Singh was a dealer of arms and in a bid to snatch the pistol from his hands, it seems that accidentally a gun shot was fired which hit the deceased. It is also a fact that throughout the course of investigation no motive has been alleged against the petitioner and no inimical relations have also been brought out.

6. Taking into consideration the fact that there is substantial delay in lodging of the FIR and no suspicion was raised against the petitioner and further, at best, it is a case of accidental firing, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bairgania P.S. Case No. 194 of 2023 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, Sitamarhi, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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