

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10321 of 2025

Arising Out of PS. Case No.-417 Year-2024 Thana- BAIRIYA District- West Champaran

Prince Kumar S/O Ajay Sah @ Ajjay Sah R/O Village- Malahi Tola ward no.-
05, Police station- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Raj

For the Opposite Party/s : Mr. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 109(1), 3(5) of the

Bharatiya Nyaya Sanhita, 2023 and Section 27 of Arms

Act.

3. Prosecution case in nutshell is that while the

informant was walking at his door, petitioner along with

other 4 accused persons, riding on two motorcycles, came

there and on the instigation of co-accused Raja Kumar,

petitioner and co-accused Abhishek Sah fired upon the

informant due to which he sustained gun shot injury on



his thigh. It is further alleged that accused persons took away Rs. 2,00,000/- (two lakh rupees) from the shop of informant, which was in front of his house.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. From perusal of injury report (Annexure P/2), it appears that the informant has received one gun shot injury for which no any specific allegation has been levelled against the petitioner. It is further submitted that there is money dispute between co-accused Abhishek Sah and informant's brother (Sunny Kumar) regarding which an unregistered agreement (copy of said agreement paper is annexed at page 17) has been made in which Abhishek Sah and petitioner are witness. In this background, name of petitioner has been dragged in this case out of personal grudge and mala fide intention. Moreover, the petitioner is languishing in judicial custody since 09.12.2024. After completion of investigation, charge-sheet has been



submitted against the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bairiya P.S. Case No. 417 of 2024 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 Additional Chief Judicial Magistrate III, Bettiah, West Champaran.

(S. B. Pd. Singh, J)

Nirajkrs/-

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