

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11715 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- KASIMBAZAR District- Munger

Badal Sahni @ Badal Kumar, aged about 25 years, Gender-Male, Son of Chunchun Sahni, Resident of Village- Lalupokhar, Kankarghat, P.S.- Kashim Bazar and District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate
Mr. Ranjeet Patel, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kashim Bazar P.S. Case No. 317 of 2024 instituted for the offences punishable under Sections 126(2), 115(2), 351(2), 352 and 3(5) of the B.N.S.S and Section 25 of the Arms Act.

3. As per the prosecution case, FIR named accused person namely Baigan @ Vicky Yadav fired from his roof top which hit on the back side of injured-cum-informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that petitioner is not named in the FIR rather his name has been transpired during



course of investigation. He further submits that the statement of the victim-cum-informant, it is clear that Baigan @ Vicky had fired upon the victim-cum-informant. He next submits that the petitioner and the victim are good friend so he has been made accused in this case. Petitioner is in custody since 03.11.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case diary, FIR, injury report and the impugned order of the learned Additional District and Sessions Judge-II, Munger dated 09.01.2025, it appears that on the basis of fardbeyan of the informant Rohit Kumar, FIR has been lodged under Sections 126(2), 115(2), 351(2), 352 and 3(5) of the B.N.S.S. and Section 25 of the Arms Act against four named and 3-4 unknown persons and the specific allegation against the accused namely Baigan @ Vicky Yadav is that he fired from his roof top which hit on the back side of shoulder of the injured-cum-informant. It appears that petitioner is not named in the FIR and his name firstly surfaced in paragraph nos. 23 and 24 of the case diary after one day of the fardbeyan. It also appears that the present petitioner namely Badal Sahni @ Badal Kumar is also belong to the nearest village of the victim Rohit Kumar but surprisingly his name is not mentioned in the fardbeyan and no specific allegation against the petitioner, so



consider all the aspects of the matter and submission of learned counsel for the parties, I am inclined to grant bail to the petitioner.

7.Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kashim Bazar P.S. Case No. 317 of 2024.

(Ramesh Chand Malviya, J)

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