

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20782 of 2025

Arising Out of PS. Case No.-511 Year-2024 Thana- SIWAN CITY District- Siwan

Sahil @ Syed Sahil Raza son of Syed Asgar Raza Resident of Village-
Mandrapali P S- Panchrukhi District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ranjeet Kumar Pandey, Advocate
For the State : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 109, 238 and 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, informant, namely Rustam Ali, alleged that on 19.09.2024 at about 6:30 PM when he went to hand over fare to this petitioner, in the meantime, co-accused Md. Kaif fired from his pistol upon the informant as a result of which he sustained injuries on his right thigh.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of causing fire arm injury is



against co-accused Md. Kaif and there is no accusation against this petitioner. Petitioner is a student of B.Com. and he looks after his business and has got no concern with the alleged incident. It is further submitted that informant also filed an affidavit before the learned trial court wherein he has stated that the contents of the *Fardbeyan* of 19.09.2024 was not read over to him and he has further stated that he could not identify the assailant. From bare perusal of the F.I.R. it is also apparent that it was this petitioner who took the informant to hospital and as such, no offence under Sections 109, 238 and 3(5) of the B.N.S. and Section 27 of the Arms Act is made out against this petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that specific accusation of causing fire arm injury against co-accused person, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Siwan Town P.S. Case No. 511 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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