

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28324 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Sajan Kumar Son of Mantu Paswan Resident of Village - Usri, P.S.-
Buniyadganj, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 17-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with

Buniyadganj P.S. Case No. 250 of 2024 registered for the

offences under Sections 109 of the Bhartiya Nyay Sanhita, 2023

(in short, the ‘B.N.S.’) and section 27, 25(9) of the Arms Act.

3. The accused/petitioner is named in the First

Information Report and is in custody since 12.01.2025.

4. As per FIR, one unknown miscreant by covering his

face opened fire on son of the informant hitting his stomach and

after receiving bullet injury, the son of the informant became

senseless, whereafter he was admitted at Bodhi Hospital, Gaya.

5. It is submitted by learned counsel appearing on behalf

of the petitioner that nothing transpired during investigation, which



may suggest that this petitioner was present on the spot and fired upon son of the informant hitting his stomach. It is submitted that after treatment when the injured son of the informant returned to his home, he specifically made his statement before police that he received bullet injury out of celebratory firing, which was celebrated on the occasion of birthday of son of Chandan Manjhi.

6. It is submitted that earlier statement of injured son of the informant, which is the basis of FIR, and subsequent statement recorded under section 161 of the Cr.P.C. during investigation are completely different. It is submitted that on the basis of statement of said Chandan Manjhi that celebratory firing was made by this petitioner, he was implicated with the present case by ignoring the allegation as raised through FIR by informant/injured.

7. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence and moreover, petitioner found involved in one more criminal case wherein he is on bail.

8. Learned A.P.P. for the State, while opposing the prayer for bail of the petitioner, could not disputed the factual submission as advanced by learned counsel appearing for the



petitioner.

9. In view of the aforesaid submission and by taking note of contradictory statement of injured as stated to the informant immediately after the occurrence and subsequently stating during investigation that he received bullet injury out of celebratory firing, coupled with the fact that investigation of this case is already completed where petitioner remains in custody since 12.01.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIII, Gaya/concerned court, in connection with Buniyadganj P.S. Case No. 250 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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