

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25252 of 2025

Arising Out of PS. Case No.-152 Year-2024 Thana- MATIHANI District- Begusarai

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Kari @ Himanshu Kumar @ Himanshu S/O Madan Mohan Singh @ Mohan Rai R/O Village- Matihani, Metho Tola (Metho Chowk), Ward No. 09, P.S- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-07-2025 Heard the parties.

2. The petitioner seeks bail in connection with Matihani P.S. Case No. 152 of 2024 registered for the offence under Sections 109, 3(5) of BNS and also Section 27 of the Arms Act.

3. The petitioner is named in the F.I.R. and is in custody since 03.01.2025.

4. As per FIR, petitioner fired bullet upon the informant due to which he sustained injury on his shoulder. Firing was alleged to be made by all three named co-accused persons at same time.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner due to neighborhood dispute and differences falsely implicated with present case in the background of general and omnibus allegations of firing. It is pointed out that only single injury that too of simple in nature was found upon, negating *prima-facie* allegations of indiscriminate firing. It is further pointed out that similarly situated co-accused person namely, Piyush Kumar has been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 15632 of 2025 dated 02.07.2025. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is already completed, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact that in the background of allegation of indiscriminate firing causing single injury of simple in



nature *prima-facie* creates a doubt *qua* allegations as raised against petitioner which appears *prima-facie* general and omnibus, coupled with fact that investigation has already been completed where he remains in custody since 03.01.2025, accordingly petitioner above named, is directed to be released on bail in connection with Matihani P.S. Case No. 152 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 learned J.M. 1st Class, Begusarai /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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