

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34703 of 2025

Arising Out of PS. Case No.-333 Year-2024 Thana- SONBERSA District- Sitamarhi

Chandan Kumar S/O Rakesh Gami Resident of village- Matiyar, PS-
Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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

ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sonbarsa P.S. Case No. 333 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 308(5), 308(4), 109 and 3(5) of BNS.

3. As per the prosecution story, the informant has alleged that on 20/10/2024, when he was doing the accounting in the office at Jairam HP Gas Agency of his village Bhaluaha, both the F.I.R. named accused persons namely *Shivam Kumar* and *Chandan Kumar* (petitioner) came together, entered his office and demanded extortion of Rs. 5,00,000/-. When he refused, *Chandan Kumar* took out his pistol from his waist and fired. The bullet hit the wall. Further, *Shivam Kumar* took out



his pistol from his waist and fired at his forehead. The bullet hit on the left side of his forehead. Resultantly, he fell down and bleeding started. Thereafter, he was shifted to Nandpati Memorial Research Centre, Sitamarhi for treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him. All the allegation leveled against him are false, misleading and concocted. Even if the prosecution story as per the F.I.R. is taken to be true, it is evident that informant was not injured by the petitioner as the bullet fired by the petitioner did not hit the informant. Learned counsel further submits that the F.I.R. has been lodged after delay of total eight days and no satisfactory explanation has been given for the same. It is also submitted that that there is land dispute between both the parties prior to alleged occurrence. Petitioner is languishing in jail since 24.12.2024, having no criminal antecedent.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge**, if not framed on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate Ist class, Sitamarhi in connection with
Sonbarsa P.S. Case No. 333 of 2024 subject to the condition that
one of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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