

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31220 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- NAYAGAON District- Saran

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Vishal Kumar Pandey S/o Chandra Kumar Pandey R/o Village- Khanpur,
P.S.- Manjhi, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-05-2025 Heard Mr. Brij Kishor Mishra, learned counsel for the

petitioner and Mr. B.N. Pandey, learned APP for the State.

2. The petitioner has prayed for bail in connection with
Nayagaon Station Case No. 17 of 2025 registered for the
offence punishable under Sections 111(2), 109(1), 61(2) of the
BNS, 2023 and Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioner has
fired at Vishnu Mahto and the gunshot hit near his nose.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. Counsel
also submits that it is a case where scuffle took place between
Vishal Kumar Pandey and Vishnu Matho in a truck. From
perusal of the FIR, it is clear that the fire was not made by the
petitioner rather the shot was fired accidentally. There is no
injury report of the victim. From a perusal of the order of the



trial court's also, it is clear that there is only description of petitioner's alleged complicity, and although another case exists, there is nothing regarding injury report. From a perusal of the case diary, it transpires that the firing occurred over a trivial issue and there was no repetition of the firing. Counsel further submits that the petitioner is languishing in judicial custody since 01.02.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Nayagaon P.S. Case No. 17 of 2025.

(Ashok Kumar Pandey, J)

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