

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34141 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- JAYNAGAR District- Madhubani

Arvind Kumar Yadav S/o Dev Narayan Yadav Resident of village-
Chhaparadhi, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-06-2025 Learned Counsel for the petitioner and Learned APP
for the State are present.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Jaynagar P.S. Case No. 325 of 2024, lodged on 10.11.2024, under Sections 109, 118(1), 3(5) and 61(2) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution, F.I.R. has been lodged against seven named accused persons including the present petitioner. The specific allegation against the present petitioner is that he had fired by pistol upon the informant with a view to kill but the injury has caused at the right hand of the informant.



Subsequent firing has also been made by the petitioner but anyhow the informant escaped.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that from the contents of FIR it transpires that there is land dispute between the petitioner and informant. He further submits that injury report has been annexed as Annexure-2 of this petition and in the injury report the injury has been shown simple in nature. Counsel submits that the only bad aspect in the present case against the petitioner that there are ten criminal antecedents against him and petitioner as soon as affirmed getting information about filing this case surrendered himself in this case and he is in custody since 10.03.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that allegation of firing with a view to kill against the petitioner due to which injury has been caused to the informant in the right hand. He submits that it is true that it is simple in nature but from the rejection order it transpires that the said injury was caused due to gun shot fire.

6. In this background, this Court is not inclined to enlarge the petitioner on bail in connection with Jaynagar P.S. Case No. 325 of 2024 pending in the court of learned Chief



Judicial Magistrate, Madhubani.

7. Accordingly the prayer for bail of the petitioner is
hereby rejected.

(Dr. Anshuman, J)

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