

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37135 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- Bhawanipur District- Bhagalpur

Sanni Singh @ Sanni Kumar Son of Kantlal Singh Resident of Village-
Manoharpur, Raypur, P.S.- Bhawanipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 37936 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- Bhawanipur District- Bhagalpur

- 1. Dibyanshu Kumar @ Gopal Kumar Son of Ambika Singh Resident of
Village - Manoharpur, P.S.- Bhawanipur, District - Bhagalpur
- 2. Munna Kumar Son of Ambika Singh Resident of Village - Manoharpur, P.S.-
Bhawanipur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 37135 of 2025)
For the Petitioner/s : Mr.Pranav Kumar Jha, Adv.
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP
Mr.Amrendra Kumar, Adv.
(In CRIMINAL MISCELLANEOUS No. 37936 of 2025)
For the Petitioner/s : Mr.Pranav Kumar Jha, Adv.
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP
Mr.Amrendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-08-2025 Heard Learned Counsel for the petitioners of both

cases, Learned A.P.P. for the State and learned counsel for the

Informant.

2. The present Criminal Miscellaneous applications



have been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with Bhawanipur P.S. Case No.01 of 2025 lodged on 02.01.2025 under Sections 191(2), 191(3), 190, 333, 109, 103, 125(a) and 352 of the Bharatiya Nyaya Sanhita, 2023 read with section 27 of the Arms Act.

3. As per the prosecution, the F.I.R. has been lodged against 7 named and 4-5 unknown accused persons excluding the petitioner of first case with allegation that all accused persons have reached at the house of the informant with duly weaponed and for earlier land dispute, they started assaulting to each other and subsequently, it was directed by one accused, namely, Guddu to fire on them. Thereafter Guddu fired by pistol due to which injury has been caused in the chest. Subsequently, the allegation against Dibyanshu Kumar (petitioner No.1 of 2nd case) that he has fired by rifle and against rest accused persons, there is allegation that they all started brief meeting. It has been alleged that the informant's son, namely, Dablu Kumar received injury due to which he died on spot.

4. Learned counsel for the petitioner of 1st case submits that the petitioner is innocent and has committed no



offence. He submits that the petitioner is not named in the F.I.R. and he has been falsely implicated in the present case. He further submits that whatever allegation made in the FIR, it is specific against Dibyanshu Kumar (petitioner No.1 of 2nd case) and others and not against the petitioner.

5. Counsel further submits that the petitioner's name has figured in the present case only due to the reason that he has friendship with co-accused, namely, Guddu. He further submits that antecedent of the petitioner is not clean. There is one case relating to excise matter, pending against him in which he is on bail. He further submits that the petitioner is in custody since 04.03.2025.

6. Learned counsel for the petitioners of 2nd case submits that the allegation against petitioner No.1 is to make air firing by rifle by which no one injured and against petitioner No.2, there is only allegation of pelting stone and brick. He further submits that other accused persons having allegation of stone pelting, have been granted bail by the Co-ordinate Bench of this Court vide order dated 30.04.2025 passed in Cr. Misc. No.24071 of 2025 and Cr. Misc. No.25279 of 2025.

7. Counsel further submits that petitioners are in custody since 04.01.2025 and their antecedents are not clean. He



further submits that there are 3 criminal cases pending against petitioner No.1 in which he is on bail in one case and in rest cases, he is persuading for bail and one criminal case pending against petitioner No.2 in which he is on bail.

8. Learned counsel for the informant of both cases vehemently opposes the prayer for bail and submits that allegation against petitioner No.1 of 2nd case is that he has made firing by rifle and against petitioner No.2, he has pelted stone. Therefore, as a member of mob and in connivance with each other they have killed the informant's son. Therefore, their bail application may be rejected.

9. Learned APP for the State opposes the prayer for bail of both cases and submits that petitioner of 1st case is not named in the FIR and against petitioners of 2nd case is that petitioner No.1 has made air firing by rifle and no injury has been caused to anyone and for petitioner No.2, other similarly situated persons with similar allegation have been granted bail.

10. In the present facts and circumstances of this case and the submissions made above, let the petitioners of both cases above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of Addl.



Chief Judicial Magistrate-III, Naugachia, Bhagalpur in connection with Bhawanipur P.S. Case No.01 of 2025, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J.)

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