

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36955 of 2025

Arising Out of PS. Case No.-150 Year-2021 Thana- ASARGANJ District- Munger

Jahul Khirhari @ Rahul Kumar S/o Tanti Yadav @ Tantu Khirhari @ Sentu
Khirhar @ Ramu Khirhari R/o Village- Chhoti Koriyan, P.S.- Asarganj,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Asarganj P.S. Case No. 150 of 2021 lodged on 03.10.2021 under
Sections 341, 307 & 34 of the Indian Penal Code and Section 27
of the Arms Act, pending before the A.C.J.M., 1st, Munger.

3. As per the prosecution, F.I.R. has been lodged
against two named accused persons. The allegation against the
petitioner is that he fired a gunshot at the informant at the
instance of the co-accused. It has been further alleged that, as a
result of the firing, the informant sustained an injury on the left
side and somehow managed to save his life.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He further submits that, as per the F.I.R., it is evident that two persons were involved in the firing, however, during investigation, the police, under a conspiracy, charge-sheeted the petitioner, while another similarly situated person has been let off and no charge sheet has been filed against him. He submits that the petitioner has been falsely implicated as part of a conspiracy. He further submits that there is no material against the petitioner in the entire case diary. It is also submitted that paragraph no. 4 of the case diary indicates that the co-accused has a bad reputation in the locality, whereas the petitioner has no enmity. He further submits that the criminal antecedents of the petitioner are clean and that he has been in custody since 13.01.2025.

5. Learned APP for the State, on the other hand, vehemently opposes the prayer for bail and submits that there is a specific allegation that the petitioner fired a gunshot at the informant.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail at present to the petitioner. Therefore, the bail application of the petitioner is hereby rejected. However, liberty is hereby granted to the petitioner that he may renew his prayer



for bail six months after the framing of charge.

(Dr. Anshuman, J.)

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