

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36701 of 2025

Arising Out of PS. Case No.-25 Year-2024 Thana- SAHEBPUR KAMAL District- Begusarai

Mohit Kumar @ Mohit Yadav Son of Janardan Yadav @ Janardan Prasad
Yadav Village- Baburahi PO -Shaligrami PS -Sahebpur Kamal District
-Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Sahebpur Kamal P.S. Case No. 25 of 2024 registered for
the offences under Sections 341, 323, 307, 34, 504 of the
Indian Penal Code and section 27 of the Arms Act.

3. The accused/petitioner is named in the First
Information Report and is in custody since 05.04.2025.

4. Allegation against the accused/petitioner, as per
impugned order, is to assault the brother of the informant and
others by using bricks, fists and slaps and when the
occurrence was reported by the younger brother of the
informant to the parents of accused persons, they fired upon



him, as a result of which he received injury on his nose from the empty cartridge, bounced from the wall to which it hit.

5. It is submitted by learned counsel appearing on behalf of the petitioner that upon medical examination, no such injury as alleged was found upon nose of the brother of the informant caused by bounced empty cartridge and, therefore, entire allegation appears *prima facie* false on its face.

6. While concluding argument, it is submitted that investigation of this case is completed, charge-sheet has already been submitted and as such, there is no chance of tampering with the evidence. Petitioner is said to be a man of clean antecedent.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as *prima facie* injury as alleged not appears found upon medical examination, *prima facie* create a doubt *qua* occurrence, coupled with the fact that petitioner remains in custody since



05.04.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – IV, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 25 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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