

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38421 of 2025

Arising Out of PS. Case No.-413 Year-2025 Thana- MAHUA District- Vaishali

Munesh Kumar @ Muneshi, S/o Late Ram Prasad Kuwar @ Late Ram Prasad Kumar, R/o Village- Kariho, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Mahua P.S. Case No. 413 of 2025, lodged on 29.03.2025 under Sections 126(2), 109, 351, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 & Section 27 of the Arms Act.

3. As per the prosecution, F.I.R. has been lodged against five named accused persons, alleging that when the informant, along with others, were on his way to meet the Ex-PACS Chairman and were returning on a motorcycle, four persons riding on two motorcycles opened fire on him due to which he sustained a gunshot injury on the left side of his chest. He identified co-accused Mukesh Kumar and Raushan Kumar who were sitting on the motorcycle. Further, he



disclosed that the petitioner and co-accused Anirudh Kumar assisted the accused persons by acting as a liner. The cause of the dispute is said to be a piece of land.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The independent witnesses have stated that the petitioner has been unnecessarily implicated by the informant in the present case. He further submits that similarly situated co-accused Anirudh Kumar has been granted bail by the coordinate Bench of this Court vide order dated 06.08.2025 passed in Cr. Misc. No. 37240 of 2025. The petitioner has two criminal antecedents out of which one has already been closed. Charge-sheet has already been submitted and there is no chance of absconding or tampering with the evidence by the petitioner. He undertakes to cooperate in the trial of the case. Petitioner is in custody since 30.03.2025.

5. Learned APP for the State opposes the prayer for bail but fairly submits that the independent witnesses have made statements regarding the present petitioner and have indicated his innocence.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above



named, be granted bail, on furnishing bail bonds of Rs.10,000/-
(Rupees Ten thousand) as mentioned in Section 2(1) (d) of the
BNSS, 2023 to the satisfaction of C.J.M., Vaishali at Hajipur, in
connection with Mahua P.S. Case No. 413 of 2025, subject to
the following conditions as laid down under Section 480(3) of
the BNSS.

(Sunil Dutta Mishra, J)

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