

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41173 of 2025

Arising Out of PS. Case No.-957 Year-2024 Thana- AHYAPUR District- Muzaffarpur

Gobind Kumar @ Govind Kumar S/O Kishore Thakur @ Ram Kishore
Thakur R/O Vill.- Hamidpur, P.s.- Garha, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Ahiyapur P.S Case No. 957 of 2024 registered for the offences
punishable under Sections 126(2), 109, 60(2)/3(5) of the BNS
and Section 27 of the Arms Act.

3. As per allegation in the FIR, when informant went
to purchase coffee from hamidpur chowk and while returning to
home, the informant, Munna Mahto, Gobind Kumar along with
5 to 7 unknown person came towards him and started firing gun
shot and one bullet hit at the thighs of the informant due to
which he got injured.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He next submits that land dispute was going on between the petitioner and the informant. He further submits that there is general and omnibus allegation against all the accused persons. He further submits that the date of occurrence is on 12.07.2024 and the present case has lodged on 18.07.2024 and as such there is unexplained delay of six days which also create doubt on the prosecution. He further submits that there is no recovery of fire arm either from the possession of the petitioner or from the house of the petitioner. It is also submitted that petitioner is in judicial custody since 28.04.2025 having two criminal antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, case diary, injury report and impugned order dated 02.06.2025, it appears that petitioner has two criminal antecedent of similar nature i.e. of Arms Act which is apparent from paragraph 21 of the case diary. The injury report in para 93 of the case diary confirms firearm injury. So, considering the serious nature of allegation leveled against the petitioner and the fact that petitioner possesses two criminal antecedent of similar nature, this Court is not inclined to grant



bail to the petitioner.

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

(Ramesh Chand Malviya, J)

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