

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43506 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- GURARU District- Gaya

Nitish Kumar S/O Kamlesh Kumar Singh @ Kamlesh Singh R/O Village-
Pathra, PS- Guraru, Distt-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

For the Opposite Party/s : Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-07-2025 Heard Mr. Aryan Singh, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Guraru P.S. Case No. 215/ 2024 dated 14.12.2024 registered for
the offence(s) punishable under Section(s) 126(2), 115(2), 109,
352, 351(2) and 3(5) of the BNS and section 27 of the Arms
Act.

3. As per the prosecution's story, on 05.12.2024 at
about 6.30 P.M. while the informant was going to his field by
motorcycle and reached near Shivam Kirana Store then three
persons, including the petitioner, riding on a motorcycle, armed
with firearms, arrived there and this petitioner fired from his
pistol upon the informant which hit on his chest.

4. The main submissions advanced by the petitioner's



counsel are that the alleged occurrence of firing is said to have taken place on 05.12.2024 but the informant, the sole injured, recorded his fardbeyan on 08.12.2024 and the FIR was registered on 14.12.2024 and the same was sent to the concerned Magistrate on 20.12.2024 and these facts clearly show that the FIR has been manufactured, in fact, the informant might have sustained the alleged firearm injury but in a different manner and thereafter, he fabricated a false story implicating the petitioner in the alleged gunshot injury.

5. The learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that since the informant was being under treatment since 05.12.2024 on account of firing, the said delay pointed out by the petitioner's counsel took place, which is a reasonable explanation, and the instant matter relates to the serious offence of attempt to murder.

6. Heard both the sides and perused the FIR, the injury report of the injured and the trial court's order. The instant matter relates to the serious offence of attempt to murder and there is direct allegation against this petitioner as to having caused firearm injury on the vital part of the body of the informant and the same stands corroborated by the injury report of the informant, so, considering the nature of allegation



appearing against this petitioner and also coupled with his two criminal antecedents, this court is not inclined to release the petitioner on bail. Accordingly, his prayer stands rejected.

7. The trial court is directed to expedite the trial of the petitioner and take steps to conclude the same at the earliest. The petitioner may renew his bail prayer after the examination of the informant before the trial court which will be decided according to merit as per the allegations appearing from the informant's evidence.

(Shailendra Singh, J)

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