

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45761 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

Shivam Kumar Giri @ Shivam Parwat S/o Ashok Giri R/o Village-
Shankarpur Tola, P.S.- Bhagwanpur Hat, District- Siwan Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioner and Mr. Uday
Pratap Singh, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bhagwanpur Hat P.S. Case No. 41 of 2025 instituted for the offence under Sections 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as 'B.N.S.') and under Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioner has fired at the informant due to which he received firearm injury on his heel.

4. Learned counsel for the petitioner has submitted that the injury report is annexed as Annexure-P/2 and from perusal of the injury report it transpires that the informant has received two injuries; first is lacerated wound and which is entry wound and second one is also lacerated wound which is exit



wound. Learned counsel further submits that there is only allegation of one firearm and the informant has received injury in his heel. The petitioner was not having any intention to commit murder. The petitioner is a man of clean antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer for bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bhagwanpur Hat P.S. Case No. 41 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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