

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48344 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- DARPA District- East Champaran

Pankaj Kumar S/o Hari Narayan Singh, R/o Village- Tinkoni, Police Station- Darpa, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal, Sr. Advocate Mr. Vijay Prasad Singh, Advocate Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :	Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 10-12-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with STR No. 440 of 2025, arising out of Darpa P.S. Case No. 3 of 2025 dated 05.01.2025, registered for the offences punishable under Sections 118(1), 118(2) and 109 read with Section 3(5) of the B.N.S., 2023 and Sections 25(1-b)a, 26 and 27 of the Arms Act.

3. As per the prosecution case, over some dispute with the informant's brother, the petitioner fired upon him and the informant received injury in his left cheek.

4. Learned senior counsel appearing on behalf of the petitioner submits that the occurrence took place in the background of land dispute as the informant had been digging



the soil from the land of the petitioner. The petitioner has been regularly paying the land rent. The informant forcibly wanted to erect some structure over the said land which was objected by the petitioner and some scuffle started and the informant ordered to kill the petitioner. It was the informant who took out a pistol which was caught by the petitioner and in the scuffle the informant received injury. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 06.01.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner and submits that there is specific allegation against this petitioner for firing upon the informant and the shot hit him in the cheek.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XXI, East Champaran, Motihari / concerned



Court, in connection with **STR No. 440 of 2025, arising out of Darpa P.S. Case No. 3 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.*
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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