

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50423 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

1. Mithu Kumar @ Mithu Yadav S/o Sulo Yadav Resident of Village-Pratarpur, P.S.- Dandari, District- Begusarai
2. Dablu Kumar @ Dablu Yadav S/o Sulo Yadav Resident of Village-Pratarpur, P.S.- Dandari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2025 Heard learned counsel appearing on behalf of

the parties.

2. The petitioners seeks bail in connection with

S. Kamal P.S. Case No. 01 of 2025 registered for the

offence under Sections 191(3), 126(2), 115(2), 352,

351(1), 351(2), 109(1), 315 of BNS and Section 27 of

the Arms Act.

3. The petitioners are named in the F.I.R.

Petitioner no. 1 remains in custody since 30.04.2025 and

Petitioner no. 2 is in custody since 02.05.2025.

4. As per FIR, petitioners and 10 other co-



accused persons riding upon four motorcycle and armed with automatic and country-made weapon opened indiscriminate firing upon the house of the informant. The miscreants entered into the house of informant and also committed indiscriminate firing thereof and out of which one gun shot hit the mother of the informant near to her right neck due to which she became unconscious and was subsequently taken to hospital for treatment.

5. Learned counsel appearing on behalf of the petitioners submitted that mother of the informant was initially treated with Sadar hospital, whereafter she was taken to a private nursing home from where the report regarding injury was given “**grievous**” without specifying that how and by which type of weapon it was caused in actual vide report dated 28.02.2025. It is submitted that subsequently, the injury report of mother of the informant was given by Sadar Hospital, mentioning thereof the nature of injury as simple caused by hard and blunt substance, creating a doubt *qua* entire allegation as



raised through FIR. It is submitted that considering the aforesaid aspect, co-accused namely, Kundan Kumar was granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. 33747 of 2025 dated 14.08.2025 and, therefore, on ground of parity this petitioner also deserves bail. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of doubtful injury report as discussed aforesaid, coupled with fact that petitioner no. 1 remains in custody since 30.04.2025 and petitioner no. 2 is in custody since 02.05.2025, let the petitioners, above named, are directed to be released on bail in connection with S. Kamal P.S. Case No. 01 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount to the satisfaction of learned
ACJM-IV, Begusarai /concerned court, subject to the
conditions as mentioned under Section 437(3) of the
Cr.P.C/Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

