

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51046 of 2025

Arising Out of PS. Case No.-157 Year-2022 Thana- HARSIDHI District- East Champaran

Mahesh Kumar S/o Bharat Bhagat R/o Village-Gokhula Ghat, P.S.-
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the State : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 307 of the Indian Penal Code
and Section 27 of the Arms Act.

3. As per prosecution case, it is alleged that this
petitioner, along with other F.I.R. named accused persons and
three to four unknown persons, fired upon the informant as a
result of which he sustained three gun shot injuries.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
As a matter of fact, due to land dispute between the parties, this



false and concocted case has been lodged. Allegation of firing is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. As per F.I.R., seven accused persons are alleged to have fired upon the informant, however, the informant sustained only three gun shot injuries which itself falsifies the entire prosecution case. Moreover, similarly situated co-accused person, namely Suraj Kumar, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 22.09.2022 passed in Cr. Misc. No. 36745 of 2022. Charge-sheet has already been submitted and petitioner is in custody since 28.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 157 of



2022.

(Prabhat Kumar Singh, J)

shashank/-

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

