

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52546 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- BAHERA District- Darbhanga

Vikash Yadav, Male, aged about 22 years, Son of Baidyanath Yadav, Resident of village- Suhat, P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Muskan Singh, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Saurabh Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Bahera P.S. Case No. 160 of 2025 instituted for the offences punishable under Sections 126(2), 303(2), 308(2), 109(1), 3(5) of the BNS and Section 27 of the Arms Act.

3. As per allegation in the FIR, the allegation against the petitioner is that he intentionally fired bullet upon the informant's stomach and also snatched Rs. 5,000/- gold chain.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that no any illegal articles was recovered from the conscious possession of



the petitioner. He further submits that there is previous enmity between the accused and the informant's family. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 19.05.2025.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submits that the petitioner does not deserves bail.

6. From perusal of the FIR, case diary, injury report and also perused the impugned order of the learned Additional Sessions Judge-I, Benipur, Darbhanga dated 01.07.2025, it appears that on the basis of written report of the informant namely Sanjay Yadav, FIR has been registered under Sections 126(2), 303(2), 308(2), 109(1), 3(5) of the BNS and Section 27 of the Arms Act against four accused persons including the present petitioner. There is specific allegation against the petitioner that he has intentionally fired bullet upon the informant with an intention to kill him and the bullet hit the informant's stomach. Perusal of the records, it also appears that investigation in this case is still going and the injury report is awaited and non availability of the injury report at this stage should not be construed in favour of the petitioner. From perusal of the injury report of the injured Sanjay Yadav, it



appears that the injury is of entry wound by fire arm of size 3 cm x 1 cm as well as wound of firearm of size 2cm x 1cm and the opinion is simple caused by firearm, so considering the seriousness of allegations, nature of offence as well as the other facts and circumstances of the case, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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