

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54225 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- SALAKHUA District- Saharsa

Ajit Kumar, S/o Umesh Yadav, Resident of Village-Goshpur Ward No. 04,
P.S.- Salkhua, District-Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP
For the Informant	:	Mr. Abhisek, Advocate
		Mr. Umesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner seeks bail in connection
with S.T. No.173 of 2025 arising out of Salkhua P.S. Case
No.216 of 2024 registered for the offences punishable under
Sections 126(2), 191(2), 191(3), 190, 115(2), 118(1),
303(2), 103(1), 352, 351(2) of the Bhartiya Nyaya Sanhita,
2023 (for short 'B.N.S.') and Section 27 of the Arms Act.

3. The accused/petitioner is named in the FIR and
is in custody since 25.09.2024.

4. As per FIR, named co-accused persons assaulted



the brother of informant, where during the occurrence, firing as alleged to be made by this petitioner hit the brother of informant. It is also alleged that firing was made by co-accused Gaurav Kumar also missing the target.

5. It is submitted by learned counsel appearing for petitioner that nothing transpired during investigation and from facial perusal of FIR it is not clear whether the firing as alleged to be made by this petitioner hit to the deceased brother of informant or not. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. The petitioner claimed clean antecedent.

6. Learned APP duly assisted by learned counsel appearing for the informant has vehemently opposed the prayer of bail and submitted that allegation of fatal firing is available against petitioner and on his instance only fire-arm was recovered from his house.

7. In view of aforesaid factual submissions and by taking note of fact as the allegation of fatal firing is



specifically available against this petitioner, accordingly, the prayer of bail of petitioner stands rejected for the present.

8. However, as petitioner remains in custody since 25.09.2024, the learned trial court is directed to conclude the trial preferably within a period of nine months, failing which the petitioner shall be at liberty to renew his prayer of bail, if so advised.

(Chandra Shekhar Jha, J.)

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