

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54318 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Balwant Kumar @ Bablu S/O Late Umesh Ray R/O Village - Bhusari, P. S. -
Samastipur (Muffasil), Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Roy, Adv.
For the Opposite Party/s	:	Mr. Rita Verma, Adv.
For the Informant/s	:	Mr. Abhay Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 10-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Samastipur (Muffasil) P.S. Case No. 184 of 2025 dated 03.05.2025 registered for the offences punishable under Sections 126(2), 109, 351(2) read with Section 3(5) of the B.N.S. and Section 25(1-B)(a) and 27 of the Arms Act.

3. As per the prosecution case, when the son of the informant went to the door of his house to tie the cow, the co-accused Lalbabu Rai exhorted the petitioner and the co-accused Yaswant Kumar to kill him on which the petitioner and the co-



accused Yaswant Kumar caught hold of his hands and the co-accused Pankaj Paswan @ Malinga fired three rounds from his pistol with intent to kill him which hit in the waist and thigh of the informant's son. It is further alleged that when police reached there, two live cartridges and one empty cartridge were recovered from the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is no specific allegation against the petitioner rather the specific allegation of firing is against the co-accused, Pankaj Paswan @ Malinga. The petitioner and the informant are gotiyas and due to land dispute the alleged occurrence took place. The charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.05.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Samastipur (Muffasil) P.S. Case No. 184 of 2025, with a condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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