

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55235 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- GHOSI District- Jehanabad

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Bimlesh Kumar W/o Kameshwar Prasad R/o Village - Chunukpur, P.S - Ghoshi, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs.Vaishnavi Singh, Advocate
For the State	:	Mr.Ram Bilash Roy Raman, APP
For the Informant	:	Mr.Mungeshwar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-09-2025 1. Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel for the informant.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 103(1), 109 of the Bharatiya Nyaya Sanhita, 2023 and sections 25(A), 27 of the Arms Act.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 17.05.2025 and has criminal antecedent of three cases. The informant alleges that in the marriage ceremony of the daughter of co-accused Vijay Bind, a dance programme was organized, further, in the night when the dance was being performed, the informant at 10:00 P.M., got an information that some miscreants have opened fire causing firearm injury to his son as well as to one minor villager. Accordingly, the informant reached the place of occurrence and



brought his son to Ekangarsarai Hospital from where, he was referred to P.M.C.H., Patna but the son of the informant during the course of treatment died.

4. Learned counsel for the petitioner submits that F.I.R. was against unknown and the name of petitioner transpired during the course of investigation when the witnesses named the petitioner as the one who fired along with Abhinash Aryan causing firearm injury to the son of the informant and to a minor. It is submitted that any statement recorded by the police is not admissible in evidence and has to stand the scrutiny of the trial. It is next submitted that informant is not an eye witness to the occurrence and there is no specific allegation of firing against the accused killing the deceased and injuring a minor. It is further submitted that since the occurrence is alleged to have taken place in a marriage ceremony then in the marriage ceremony, a large number of people would have gathered but then no one has identified the accused persons of committing the occurrence.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposes the prayer for bail of the petitioner. It is submitted that petitioner has antecedent of three cases and submitted that what is not in dispute rather stands



admitted is that one person died in the occurrence and a minor victim suffered firearm injury. It is also submitted that had the informant had any intention of implicating someone falsely, in that event, the F.I.R. would not have been instituted against unknown. It is next submitted that since F.I.R. was against unknown, that amply demonstrates that informant at the time of instituting the F.I.R. was not informed that who committed the occurrence but then during the course of investigation, it transpired that how the occurrence unfolded. It is also submitted that marriage is a pious ceremony and even if dance programme was organized where a person died and a minor suffered firearm injury that amply demonstrates the mindset of the accused persons. It is reiterated and submitted that son of the informant died during the course of treatment.

6. Considering the submissions made by learned APP for the State and learned counsel for the informant, this Court is not inclined to release the petitioner on bail.

7. Accordingly, the bail applications stands rejected.

(Satyavrat Verma, J)

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