

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54728 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- RAFIGANJ District- Aurangabad

Firoj Shah son of Md. Kallu Shah @ Kallu Shah Resident of Village-
Jhikatiya, P.S.- Rafiganj, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 109 of the B.N.S. and
Section 25 (1-B) a, 26/27 and 25 (9) of the Arms Act.

3. The case of the prosecution is that on 10.04.2025 in
a marriage ceremony, the petitioner Firoj Shah took out a pistol
from his waist and fired, as a result of which, the informant's
aunt got injured. The villagers immediately assembled and for
security reasons, the said pistol was taken away from his hand.

4. Learned counsel for the petitioner submits that it
would be apparent from the first information report that no
intention or motive can be imputed to the act of the petitioner
rather it seems that the aunt of the petitioner got hit by way of
an accidental firing made during the marriage ceremony. The



injury report also indicates that the injured had received one lacerated wound on her right buttock caused by firearm and as a matter of fact, there was no repetition of firing and in such facts of the case, no offence under Section 109 of the BNS would be made out. Further, the petitioner is in custody since 11.04.2025 with clean antecedent and the charge-sheet has already been submitted on 06.06.2025.

5. Learned APP for the State has opposed the application for bail to the petitioner on the basis of the allegations made in the first information report with regard to firing made by the present petitioner.

6. Taking into consideration the facts and circumstances and also considering that the firing *prima facie* seems to be an accidental one made during the marriage ceremony with no motive alleged to the same, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rafiganj P.S. Case No. 166 of 2025.

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(Soni Shrivastava, J)

