

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55396 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- DURAULI District- Siwan

Manish Kohar S/o Ramesh Kohar @ Ramesh Pandit R/o Village - Bhitauli,
P.S. - Darauli, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2025 Heard Mr. Bijay Prakash Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Darauli P.S. Case No. 118 of 2025 for the offence punishable under section 109 of the BNS, 2023 and Section 27 of the Arms Act lodged on 09.05.2025 by the informant, Md. Irsad.

3. As per the prosecution story, the informant alleged that he had gone to attend the Tilak Ceremony of his driver and when he was returning, the petitioner came flashing the pistol, the locals caught hold of him and wanted to enquire when he opened fire which caused injury in his finger. As the people started leaving the place, the petitioner escaped. The informant was taken to Primary Health Centre, Darauli and then to Sadar Hospital, Siwan. This led to the FIR.



4. Learned counsel for the petitioner submits that even going by the FIR, there was no intention to hit the informant, it may be an accidental firing, he has already suffered by being in custody since 16.05.2025 and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer for bail submitting that he opened fire causing injury in the finger.

6. Taking into account the aforesaid facts as also his period of custody, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- to the informant as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial



Magistrate-1st Class, Siwan in connection with Darauli P.S. Case No. 118 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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