

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54983 of 2025

Arising Out of PS. Case No.-442 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Vijay Singh @ Vijay Kumar Singh Son of Late Shilanath Singh village-
Malmalla , Ps- Runnisaidpur, Dist- Sitamarhi Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhubala Verma
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 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(1), 3(5) of the B.N.S. and
Section 27 of the Arms Act.

3. The case of the prosecution is that while the
informant was returning on his Desire vehicle along with his son
he was informed that the petitioner Vijay Singh was threatening
the labour of the brick klin by firing gun shot in the air and while
the informant was going to the police station, the petitioner fired
indiscriminately upon them but they escaped while gate of the
scorpio vehicle got damaged. It has also been stated that the
petitioner also committed the murder of one Munsii Ashok Das and
earlier also in the year 2023, the petitioner had fired upon the
informant.

4. Learned counsel for the petitioner, at the outset,
submits that the first information report has been lodged after an
inordinate delay of six days, inasmuch as while the occurrence is



said to have taken place on 04.12.2024 the present FIR was lodged on 10.12.2024 and there is no explanation whatsoever with regard to such delay. It has been pointed out that the FIR itself indicates that the police vehicle had come to the place of occurrence and it is on the vehicle of the informant that the deceased Ashok Das was carried to the hospital and yet the informant did not lodge the present case against the petitioner which is indicative of the fact that the same has been lodged after due thought and deliberation. It has also been argued that as against the allegation of indiscriminate firing only one bullet was found on the vehicle and no injury was caused to the informant or his son. The petitioner is in custody since 22.01.2025 and charges have already been framed and he has been falsely implicated in the present case on account of the continuing dispute with the informant.

5. Learned APP for the State has opposed the application for bail to the petitioner on the grounds mentioned in the first information report and also the antecedents of the petitioner to which it has been responded by stating that one of the case has been lodged by the present informant himself in which the petitioner is already on bail and the other case is pending for consideration of bail.

6. Taking into consideration the facts and circumstances and also considering that no injury has been caused



to the informant or his son and the allegation of indiscriminate firing does not stand corroborated with the single bullet found on the scorpio vehicle, coupled with the fact that there is an unexplained delay of six days in lodging the FIR, 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 Runnisaipur P.S. Case No. 442 of 2024, subject to the conditions that:

(I) One of the bailors would be the family member or relative.

(II) The petitioner would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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