

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55440 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- MANSI District- Khagaria

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Suman Kumar S/o Tejo Yadav, Resident of Village- Amni, PS- Mansi,
District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offences punishable under Sections 111 and 109 read with
Section 3(5) of the B.N.S., 2023 and under Section 27 of the
Arms Act.

3. As per the prosecution case, the informant, who
is an S.I., received an information on 26.02.2025 that firing was
going on in Yadav Tola and on inspection of the place of
occurrence, an empty cartridge was recovered.

4. Learned counsel for the petitioner submits that it
would be apparent from the bare reading of the FIR that the
name of three persons including the present petitioner has
surfaced in this case upon an enquiry made from the people of



the vicinity and it was stated that with regard to some earlier enmity between the parties, firing was going on between them. Besides the said information, there is no other material to connect the petitioner in the present case. The FIR has been lodged after a delay of one day and there is no eyewitness to the alleged occurrence and as a matter of fact, no one has sustained any injury in the alleged occurrence. He next submits that in such view of the matter, no case under Section 109 of the BNS would be made out in this case. He further submits that similarly situated co-accused person namely, Aman Kumar has already been granted bail by this Court *vide* order dated 27.05.2025 passed in Cr. Misc. No. 33832 of 2025 (Annexure-2). Learned counsel lastly submits that the petitioner is in custody since 16.05.2025 after surrender and chargesheet has already been submitted in this case.

5. Learned Additional Public Prosecutor for the State, however, vehemently opposes the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the submissions made on behalf of the parties and also considering the fact that petitioner claims clean antecedent, similarly situated co-accused person



has been granted bail by this Court and no one has sustained any injury in the said incident. Accordingly, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria / successor Court, in connection with **Mansi P.S. Case No. 33 of 2025.**

(Soni Shrivastava, J)

Shahnawaz/-

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