

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62670 of 2025

Arising Out of PS. Case No.-456 Year-2024 Thana- CHIRAIYA District- East Champaran

Sanjay Rai @ Sanjay Kumar Yadav S/O Late Jhigan Rai @ Jhigan R/o
village- Kathuiya, P.S.- Chiraiya, Dist.- East Champaran Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 28-11-2025 Heard learned counsel for the petitioner and Mr.
Mithlesh Kumar Khare, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 109 & 3(5) of the BNS and under Section 27 of the Arms Act.

3. The case of the prosecution in short is that the petitioner has fired at the thigh of informant due to which she received injury.

4. Learned counsel for the petitioner has submitted that the occurrence has taken place on trivial issue. It has also been submitted that from perusal of the injury report it will transpire that the Doctor has opined that the injury is grievous. There is fracture of Proximal Meta Diaphysis of right Femur with bullet. It has further been submitted that the nature of wound is written as firearm entry wound, but the Doctor has not given the exact marks which are left by the firearm injury while entering in human body. Doctor has simply written that there was firearm entry wound.



How did he reach on this conclusion is not mentioned. No objective finding has been given by the doctor. So, this finding is vague.

5. Learned counsel for the petitioner has submitted that utmost there is allegation of firing but the same is not supported with the medical report. Moreover, there is no repetition of the firing and firing is not on vital part of the body. Learned counsel for the petitioner has lastly submitted that the petitioner is in judicial custody since 20.06.2025.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the bail.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chiraiya P.S. Case No. 456 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran.

(Ashok Kumar Pandey, J)

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