

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.61438 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- VAINI District- Samastipur

Hemant Kumar S/o Ajay Sah R/o Village- Jahangirpur, P.S.- Sakra, District-
Muzaffarpur, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 17-11-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Vaini P.S. Case no.37 of 2025
registered under sections 308(3), 308(5), 109(1) and 3(5) of the
B.N.S, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, the informant states
that she was shot at by two persons, who were pillion riders
while the petitioner was driving the said vehicle, however, the
same mis-fired and accused Aman Kumar threatened the
informant of dire consequence.

4. Learned counsel for the petitioner submits that no
incriminating article has been recovered from the petitioner's
possession. It would be apparent from the F.I.R itself that the
petitioner was the person who was driving the motorcycle and
there is no allegation against him of resorting to any firing and
the same is against other accused persons. Further, allegation of



threatening is also on co-accused Aman Kumar and not the petitioner. It is further pointed out that no injury has been caused to the informant in the said occurrence and even after the arrest of the petitioner, no T.I.P has been held. The petitioner is in custody since 17.06.2025 and undertakes to cooperate in the case/trial. Charge-sheet has been submitted in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the above mentioned facts of the case and also considering the fact that there is no specific allegation of firing upon the petitioner and no injury has been caused to the informant and petitioner is in custody since 17.06.2025, the petitioner is directed to be enlarged on bail in connection with Vaini P.S. Case no.37 of 2025 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 concerned where the case is pending/ successor Court.

(Soni Shrivastava, J)

Harsh/-

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