

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63944 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- SULTANGANJ District- Bhagalpur

Banti Kumar @ Billo S/O Niranjana Rai R/O Village- Nashapur, Ward No.8,
P.S- Sultangtanj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 64431 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- SULTANGANJ District- Bhagalpur

Satrughan Kumar @ Satto S/o Vikash Rai Resident of village- Nasapur,
Gangapur, P.S.- Sultangunj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 63944 of 2025)
For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP
(In CRIMINAL MISCELLANEOUS No. 64431 of 2025)
For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
Mr. Shubham Raj, Advocate
Mr. Ayushi Choudhary, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 16-12-2025 Both the criminal miscellaneous petitions have arisen out of the same police station case number, hence they are being heard together and decided by a common order.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. In the present case, the petitioners seek bail in



connection with Sessions Trial No. 672 of 2025, arising out of Sultanganj P.S. Case No. 88 of 2025 dated 01.03.2025, registered for the offences punishable under Sections 329(3), 126(2), 127(2), 115(2), 109, 352 and 351(2) read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

4. As per the prosecution case, at the instigation of the petitioners, unknown co-accused drew out a pistol from his waist and the petitioner Bunt Kumar and co-accused Shatrudhan Kumar caught hold of the informant and unknown co-accused shot him with pistol in his right cheek.

5. Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in the present case and they have not committed any such offence. It is apparent from the FIR that the allegation of shooting is against unknown person, but due to enmity and village politics, the present petitioners have been named in the instant case. There is no eyewitness to the alleged occurrence. Nothing incriminating has been recovered from person or possession of the petitioners. There is no other material to show the complicity of the petitioners in the alleged occurrence. Learned counsel next submits that petitioners are having clean antecedent and chargesheet has been submitted. Learned



counsel lastly submits that petitioners are in custody since 03.03.2025.

6. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioners and submits that there is specific allegation against the petitioners that they exhorted and the co-accused fired upon the informant.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no specific allegation of opening fire against these petitioners and further considering their period of custody, their clean antecedent and submission of chargesheet, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhagalpur / concerned Court, in connection with **Sultanganj P.S. Case No. 88 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and



every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioners on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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