

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70423 of 2025

Arising Out of PS. Case No.-200 Year-2025 Thana- PALIGANJ District- Patna

Dilip Singh @ Dileep Singh S/o- Late Brijnandan Singh Resident of Ranipur
P.S- Paliganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate
	:	Mr. Dharmendra Kumar Singh, Advocate
For the State	:	Mr. Aslam Ansari, Incharge-APP
For the Informant	:	Mr. Anand Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-11-2025 Heard Mr. Anshul, learned Senior counsel for the petitioner, learned Incharge-APP for the State and learned counsel for the informant at length.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 103(1), 61(2), 3(5) of B.N.S. and Section 27 of the Arms Act.

3. The allegation in the first information report is that the informant was told by two children of the village that her husband had been shot at whereafter he was taken to the hospital and declared dead.

4. Learned Senior counsel for the petitioner submits that the first information report itself discloses that the informant and her husband had both gone to the house of one Vimal Singh for having fish etc., whereafter her husband stayed back while the informant left. It has been further submitted that there is no eye-witness to the present case and it is an admitted



position that it was the children who had informed the informant about her husband being shot. The confessional statement of co-accused Vimal Singh recorded in paragraph 19 of the case diary as Enclosure-2 discloses that it was the deceased who had asked for the licensed pistol and while co-accused Vimal Singh was trying to load the same to make it in a functional condition, accidentally the gun shot was fired which hit the deceased in his chest. Further, confessional statement of the petitioner recorded in paragraph 35 is also to the effect that the deceased got accidentally fired by the pistol which was being handled by co-accused Vimal Singh. It is a fact that upon the confessional statement of co-accused Vimal Singh, the said pistol was also recovered from his house. However, barring the confessional statements of the accused persons before the police which has not evidentiary value, there is no substantial material to connect the petitioner to the said offence. It has also been submitted that at best it was in the petitioner's presence that the gun shot accidentally got fired by the co-accused Vimal Singh and the petitioner aided in either disposing of the dead body or taking him for treatment. The petitioner has been languishing in custody since 03.05.2025 and charge-sheet has been submitted.



5. Learned APP for the State and learned counsel for the informant have vehemently opposed the grant of bail on the ground of the allegations made in the first information report as also the material collected during the course of investigation. Learned counsel appearing for the informant specifically relies upon paragraphs 56 and 58 of the case diary to contend that the dead body of the deceased was found on the road, however it is also an admitted fact in the said statement that the body was being loaded in the vehicle of Vimal Singh, but having seen the stains of blood the same was removed from the said vehicle and subsequently, taken to the hospital. It is on such grounds that the informant suspects foul play at the hands of co-accused Vimal Singh and the present petitioner. Learned counsel has further pointed out that relations between the petitioner and the deceased were not cordial as would appear from paragraph 56 of the case diary. In response, it has been submitted that it does not stand to reason as to when the relations were not cordial, why the deceased along with his wife would go to the house of co-accused Vimal Singh in the presence of the petitioner for dining together.

6. Taking into consideration the rival contentions and also considering the fact that there is no eye-witness to the



incident, the circumstances not indicating any strained relations between the deceased and accused leading to absence of specific motive or intention coupled with materials indicating accidental firing by co-accused Vimal Singh with no role of petitioner in the said firing but for a vague suspicion of conspiracy, the petitioner who has been languishing in custody since 03.05.2025 and charge-sheet having been submitted, the above named petitioner is directed to 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 Paliganj P.S. Case No.200 of 2025 subject to the following conditions :

(i) The petitioner is directed to appear on each and every date before the Court concerned till the framing of charge and would co-operate in the trial even thereafter failing which, his bail bonds shall be liable to be cancelled by the learned Court concerned.

(Soni Shrivastava, J)

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