

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69197 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- SALAKHUA District- Saharsa

Mintu Kumar @ Sintu Kumar, S/o Anish Yadav, R/o Village-Goshpur, Ward
No. 4, P.S.- Salkhua, District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 12-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Salkhua P.S. Case No.216 of 2024 registered under Sections 126(2), 191(2) (3), 190, 115(2), 118(1), 303(2), 103(1), 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.') and Section 27 of the Arms Act.

3. As per FIR, named co-accused persons along with petitioner committed murder of the brother of informant, where the allegation of fatal firing is available against co-accused Ajit Kumar. Allegation of firing is also available against Gaurav Kumar.



4. It is submitted by learned counsel appearing on behalf of the petitioner that occurrence took place out of financial disputes, which is apparent from the FIR itself. It is submitted that petitioner implicated only being members of the named co-accused persons. It is submitted that no overt act is available against petitioner. It is submitted that in present case general and omnibus allegation appears raised against this petitioner, whereas allegation of firing is available against co-accused Gaurav Kumar, which was misfired but, it was the co-accused Ajit Kumar, who specifically opened fire upon the brother of informant causing his death. Petitioner is said to be man of clean antecedent.

5. Learned A.P.P. duly assisted by learned counsel for the informant, while opposing the bail submitted that petitioner was actively involved in the occurrence.

6. In view of aforesaid factual submissions and by taking note of facts as the face of FIR *prima facie* not suggest any overt act against this petitioner rather allegation of fatal firing is specifically available against named co-accused Ajit Kumar, accordingly, the petitioner, above-named, in the



event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 Judicial Magistrate-1st Class, Saharsa/concerned court in connection with Salkhua P.S. Case No.216 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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