

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69621 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- NARAINPUR District- Bhojpur

Sudhir Pandey @ Pintu Pandey Son of Late Mahendra Pandey Resident of
Village - Chasi, Police Station - Narayanpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Y.C. Verma, Sr. Adv. Mr. Salaj Kumar Rai, Adv. Mr. Adarsh Singh, Adv.
For the Opposite Party/s :		Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-10-2025 Heard Mr. Y.C. Verma, learned senior counsel for the
petitioner and Mr. B.N. Pandey, learned APP for the State.

2. The petitioner has prayed for bail in connection with Narayanpur P.S. Case No. 62 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. The case of the prosecution is that this petitioner has fired at the stomach of the informant. It is also alleged that two other petitioners also fired at the informant, but the gunshot did not hit him. It is further alleged that one Sahendra Pandey assaulted with sharp edge *katha* (angular blade tool) and knife on the head of the victim indiscriminately. After that the



informant raised an alarm, and villagers arrived and rescued them.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR, it is clear that the occurrence took place on 15.06.2025 at 07:00 PM. It has also been submitted that from perusal of the injury report, it transpires that the date and time of examination are the same. It has been argued that it is not possible for the victim to be examined by the doctor at the very time of the occurrence itself. It is further submitted that the FIR was filed on 15.06.2025 at 08:40 AM and the same was brought before the Judicial Magistrate on 20.06.2025. The delay in forwarding the FIR has not been explained. He also submits that all these goes to show that the FIR is ante-dated, and from perusal of the injury report, it is also clear that the first injury is a single penetrative wound of size 1.5 cm x 1.5 cm with charring around the edges over the interior chest wall, penetrating a gunshot wound, most likely an entry wound. The learned counsel for the petitioner also submits that in gunshot injuries, penetrative wounds are not possible. The informant has received three more injuries, and it is alleged



that these injuries were caused by sharp-edged weapons, but the doctor has found that the injuries were caused by a hard and blunt object. There is no repetition of the gunshot blow, and the description of the gunshot injury, which starts with the word 'single penetrative wound,' itself creates doubt. It has lastly been submitted that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 20.06.2025.

5. The application for bail is opposed by learned APP for the State.

6. 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Incharge Judicial Magistrate, 1st Class, Bhojpur in connection with Narayanpur P.S. Case No. 62 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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