

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88587 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- AAYAR District- Bhojpur

Hari Govind Singh S/O Theju Singh R/O Vill.- Bhinrari, P.S.- Ayear (Aayar),
Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 1561 of 2026

Arising Out of PS. Case No.-73 Year-2025 Thana- AAYAR District- Bhojpur

Santosh singh Son of Hari Govind Singh Resident Of Village- Bherari, Ps-
Ayer (Aayar), Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 88587 of 2025)
For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 1561 of 2026)
For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The petitioners have prayed for regular bail in a
case registered for the offence punishable under sections 191(2),
191(3), 190, 103(1) and 109 of B.N.S. and Section 27 of the
Arms Act.



3. The case of the prosecution is that one Lallu @ Mantosh has fired at the informant but he somehow escaped. After this, Lallu fired another shot at the father of the informant which hit on his chest due to which he fell down. When the uncle of the informant Dadan Singh came to rescue then it is alleged that Chhotu Singh caught him and petitioner Santosh Singh fired at him which hit in his stomach. It is also alleged that petitioner Hari Govind Singh has also fired at the father of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioner has submitted in respect of petitioner, namely, Hari Govind Singh that from perusal of the FIR itself, it is clear that there is allegation that petitioner Hari Govind Singh has also fired but from perusal of the postmortem report, it is clear that the deceased has received only one entry and one exit wound i.e., on left side of interior chest size 7 cm above nipple. According to FIR, the first gun shot which was hit by Lallu is said to be fired at chest of the deceased. He has also submitted that the postmortem report goes to show that the deceased has received only one entry and one exit wound. There is allegation



of two shots of firing. As far as the fire made by petitioner Hari Govind Singh, it is not made clear as to where did it hit. As such, it has been submitted that the main thrust of allegation is against Lallu @ Mantosh. A statement has been made in para-3 of this petition that the petitioner is languishing in judicial custody since 26.07.2025 and he has got no criminal antecedent as stated in para-3 of his bail petition.

5. As far as allegation against petitioner Santosh Singh is concerned in FIR, it has been submitted by learned counsel that when the uncle of the informant, namely, Dadan Singh came to rescue, Santosh Singh fired at him and gun shot hit in his stomach. During course of investigation, victim Dadan Singh has given his statement before police and has stated that Lallu @ Mantosh has fired at him. Learned counsel has submitted that since the victim himself has stated that Lallu has fired, the allegation against this petitioner does not seem to be believable. Moreover, the petitioner is languishing in judicial custody since 01.08.2025.

6. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of regular bail. They have further stated that petitioner, namely, Santosh Singh is having criminal antecedent of four cases.



7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge both the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Ayer (Aayer) P.S. Case No. 73 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Bhojpur at Ara.

(Ashok Kumar Pandey, J)

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