

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5071 of 2026

Arising Out of PS. Case No.-145 Year-2025 Thana- TANKUPPA District- Gaya

1. Akash Kumar @ Akash Kr. (Aged about 24 years, Male) S/O Late Virju Paswan @ Late Birju Paswan R/O Village- Langura Kala, P.S- Mohanpur, Distt.- Gayaji.
2. Birendra Kumar @ Birendra Kur (Aged about 19 Years, Male) S/O Indradeo Paswan, R/O Village- Badha Bigha, P.S- Tankuppa, Distt.- Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate Mr. Anand Kishore Sinha, Advocate
For the Opposite Party/s	:	Mr. Aditya Narayan Singh-1, APP
For the Informant	:	Mr. Anil Kumar Sinha, Advocate Mr. Sudhir Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

5 13-07-2026 Heard learned counsel for the petitioners, learned counsel for the Informant, learned APP for the State and perused the case diary.

2. The petitioners are in custody in a case registered for the offence punishable under Sections 109, 118(2) and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is a case of gun shot firing upon the uncle of the informant by the petitioners, due to which, the uncle of the informant fell down on the earth.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case due to dirty village politics. He next submits that specific allegation of shot firing by petitioner no.1 but none was injured there and nothing incriminating or any arms and ammunition have been recovered from the conscious possession of the petitioners and petitioners are in custody since 04.07.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that specific allegation of shot firing by the petitioners upon the uncle of the informant.

6. On perusal of the first information report, case diary and impugned order dated 29.11.2025, it appears that the injured, namely, Anuj Paswan (uncle of the informant) has stated in para-133 of the case diary that he along with his nephew Nandlal Paswan were on their way back to home in Baghabigha on a motorcycle and on reaching Karhanibag Jamun tree near the Tankuppa Police Station, suddenly at the same time, regarding the matter of settlement in the previous Tankuppa Police Station Case No. 42 of 2025, a group of men namely, (1.) Akash Kumar (2.) Roshan Kumar, (3.) Virendra Kumar, (4.) Kundan Kumar Kapil Paswan, (5) Wilson Kumar Sharma, Chandan Sharma, Shubham Kumar, Manoj Singh, Sonu Kumar, Manoj Sharma, Aman Kumar Sharma,



Dharmendra Sharma (all residents of Karhanibagh, Tankuppa district,) came on two motorcycles (bearing registration no. BR02AQ550) and some on foot, carrying country-made pistol in their hands, forcibly stopped his vehicle and threatened to kill him if he did not withdraw the school case. On refusal to compromise, Akash Kumar, Roshan Kumar, Virendra Kumar, Kundan Kumar, Wilson Kumar, Shubham Kumar, Sonu Kumar, Aman Kumar started firing at the uncle of the informant with country-made pistol in their hands, due to which, three bullets hit his stomach, one in the left thigh, one in the right hand, one near the right chest and three bullets hit his left hand, due to which, he was badly injured and fell down bleeding and became unconscious, considering which, I am not inclined grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioners is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

U		T	
---	--	---	--

